

Please find price list
on Fax for Art

EXECUTIVE OFFICERS MEETING

January 5, 1989

Things to Discuss

- ✓ ① A letter from Bob Farrant of Machine Action Project to Pres. Osborn asking to have the introductory letter circulated to anyone interested in taking the seminar or forwarding names to him so he can contact them himself.
- LE ② Memo from CLUW re: Nomination and Election of state vice president and alternate state vice president. *file*
- LE ③ Booklet from Local 26 - a forum for housing news in Massachusetts. *file*
- ④ Request for a FAX machine. - *price list to Art for Fax machines*
- ⑤ Meeting notice for Industrial Relations Research Assoc. - Boston Chapter for Wednesday, January 25, 1989.
- ⑥ Tickets for Thomas Evers testimonial. *buy 1 table + additional tickets if necessary -*
- ⑦ Rainbow Coalition - dinner for Martin Luther King - *buy 5 tickets*
- ① *letter to Ind unions Worcester, Springfield and Pittsfield*
cover letter from Art + Joe F. and insert Bob Farrant's letter
- ④ *price list to Art for Fax*
- ⑤ *pay 1989 Dues* ⑤ *1st - any officers that want to go can go to winter meeting*



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MASSACHUSETTS/AFL-CIO

Voice of Organized Labor 400,000 Strong

January 5, 1989

PRESIDENT

ARTHUR R. OSBORN

EXECUTIVE VICE PRESIDENTS

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JOSEPH C. FAHERTY
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SECRETARY-TREASURER

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KEVIN MAHAR
CHARLES McDEVITT
NANCY MILLS
A. MICHAEL MULLANE
HERBERT OLLIVIERRE
JOHN PHINNEY
TONY ROMANO
JOHN F. SIMMONS
DOROTHY THOMAS
CHARLES E. THOMPSON
BARNEY WALSH
MANNY WILLIAMS

Exec. Officers Pleased re:

*one day conference for Marty
Foley - cost - \$40.*

*Joe Lydon
Joe Faherty - yes
Jim Farmer -*

MASSACHUSETTS / AFL-CIO

8 BEACON STREET • BOSTON, MA 02108 • TELEPHONE 617 / 227-8260



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JOHN F. SIMMONS
DOROTHY THOMAS
CHARLES E. THOMPSON
FRANK TOLAND
BARNEY WALSH
MANNY WILLIAMS

Museum :

*These are the things
that have to be handled from
the Dec. 15th Exec Officer Mtg.*


Amk

MASSACHUSETTS / AFL-CIO

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• TELEPHONE 617 / 227-8260



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11/3/89

INDUSTRIAL RELATIONS RESEARCH ASSOCIATION
BOSTON CHAPTER

WINTER MEETING

WEDNESDAY, JANUARY 25, 1989

SPEAKER: JAMES T. GRADY, ESQUIRE - General Counsel,
Grady and Dwyer International Brotherhood
Boston, Massachusetts of Teamsters, AFL-CIO

TOPIC: "HOW LABOR WILL FAIR UNDER THE NEW ADMINISTRATION"

PLACE: ANTHONY'S PIER 4, LYNN ROOM
Northern Avenue, Boston, Massachusetts

TIME: COCKTAILS - 6:00 P.M. (Cash Bar)
DINNER - 6:45 P.M.

PRICE: IRRA MEMBERS - \$20.00 (\$25.00 at Door)
NON-MEMBERS - \$25.00 (\$30.00 at Door)

William Vaughn, President Diane Zaar Cochran, Vice President
James Litton, Treasurer Kevin Cotter, Secretary

1988-1989 DUES - \$15.00

IRRA WINTER MEETING, WEDNESDAY, JANUARY 25, 1989 - 6:00 P.M. - ANTHONY'S PIER 4

NAME: _____ Dinners at \$20.00 each...\$ _____
NAME: _____ Dinners at \$25.00 each...\$ _____
NAME: _____ 1988-89 Dues (\$15.00)....\$ _____
TITLE: _____ TOTAL:.....\$ _____

ORGANIZATION: _____ Please make check payable to:
IRRA, BOSTON CHAPTER

ADDRESS: _____
RETURN TO: Patty Savage
American Arbitration Association
230 Congress Street
Boston, Massachusetts 02110
(617) 451-6600

☐ UNABLE TO ATTEND, but please add
my name to the IRRA mailing list.



MACHINE ACTION PROJECT

Hampden County Employment & Training Consortium
1176 Main Street • Springfield, Massachusetts 01103
Telephone (413) 781-6900

The Machine Action Project invites you to participate in an eight session seminar series entitled "Labor Unions and the Changing World Economy". All classes will be held in Springfield and are scheduled to begin in late January or early February. Day and time will be determined by individuals who agree to participate in the program.

After World War II the United States stood virtually alone as a world industrial power. The dollar was the world currency, affording the U.S. a unique role in world development. U.S. corporations, built on the booming U.S. market, enjoyed long production runs for their products, using advertising and marketing skills to sell slight changes in design. Plants were set up for mass production of interchangeable parts on enormous assembly lines. The government played a crucial role in economic development through home mortgages, direct investment and economic development grants.

Trade unions were generally able to win annual improvements in wages and benefits while this growth continued. Government, corporations, and unions all played an important role in a thriving U.S. economy. By the mid-sixties, the economic picture began to change. In market after market --shoes, electrical equipment, apparel, steel, autos --foreign competitors began to gain ground. The great American job machine was slowing down.

This seminar will tell the story of the breakdown of the post-War system and look at ways to regain U.S. industrial competitiveness.

Competitiveness for labor should mean: a decent standard of living; earning that standard of living rather than having to borrow for it; jobs that use the knowledge and expertise that workers have gained over the years to enhance work quality.

To understand the problem of competitiveness we will start by looking closely at the changing world economy. Gradually we will get closer and closer to home by looking at the U.S. economy, and finally manufacturing firms themselves. Local examples will be discussed as much as possible.

The format is for there to be as much discussion and give and take from the participants as possible. A book of readings, graphs, and charts, is being prepared for class use. Several guest speakers will

be brought in from colleges, universities, and the labor movement. And in sessions devoted to the impact of new technologies on work we will be using the computer numerical control manufacturing facilities at Springfield Technical Community College.

In the final analysis we would like to discuss what the role of labor should be in community economic development. This part of the state has been hit by several large plant closings. What is the impact of the loss of these jobs on all workers standards of living? Can the region absorb manufacturing workers into a "service economy" and still provide expanded opportunities for everyone?

The cost of the program is free. We encourage union locals to send more than one member. We will be discussing specific contract language on plant closings, technology, job and labor grade classifications as much as possible to make the sessions relevant.

The group will be kept to fifteen to twenty people so that discussion can take place. We will meet every other week at a time to be determined by the group. If you want to participate or are interested in finding out more about the seminar please call:

Bob Forrant
413-781-6900 (days)
413-534-3495 (nights)

Deadline for signing up is January 23, 1988.

Best wishes for a happy and healthy New Year.

Fraternally,


Bob Forrant



MACHINE ACTION PROJECT

Hampden County Employment & Training Consortium
1176 Main Street • Springfield, Massachusetts 01103
Telephone (413) 781-6900

December 28, 1988

Arthur Osborne, President
Massachusetts State AFL-CIO
8 Beacon Street
Boston, Ma 02108

Dear Arthur,

Enclosed please find an introductory letter and some course materials to be used in a seminar series on "Labor and the World Economy" that the Machine Action Project will be offering at the end of January. The eight sessions are designed to explore the changing nature of the world economy and the way that new markets, new industrial powers, and new corporate structures affect working people in general and labor unions in particular.

I would appreciate it if you could circulate the letter to anyone you felt might be interested in taking the seminar, or forwarding names to me so that I can contact people myself.

If you have any questions about the program please give me a call.

Best wishes for a healthy and successful 1989.

Fraternally,



Bob Forrant



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Trade unions were generally able to win annual improvements in wages and benefits while this growth continued. Government, corporations, and unions all played an important role in a thriving U.S. economy. By the mid-sixties, the economic picture began to change. In market after market --shoes, electrical equipment, apparel, steel, autos --foreign competitors began to gain ground. The great American job machine was slowing down.

This seminar will tell the story of the breakdown of the post-War system and look at ways to regain U.S. industrial competitiveness.

Competitiveness for labor should mean: a decent standard of living; earning that standard of living rather than having to borrow for it; jobs that use the knowledge and expertise that workers have gained over the years to enhance work quality.

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INTRODUCTION

After World War II the United States stood virtually alone as a world industrial power. The dollar, through a specifically designed institutional framework, was the world currency, affording the U.S. a unique role in world development. U.S. corporations, built on the booming U.S. market, enjoyed long production runs for their products, using advertising and marketing skills to sell slight changes in design. Plants were set up for mass production of interchangeable parts on enormous assembly lines. The government played a crucial role in economic development through home mortgages, direct investment and economic development grants.

Behind the wall of world economic dominance U.S. producers grew accustomed to a certain pattern. Every year they offered slight changes in their products. Trade unions were able to win annual improvements in wages. The U.S. market could be counted on for high earning, high spending consumers. Government, corporations and unions all played an important role in a thriving U.S. economy. By the mid-sixties, the economic picture began to change. In market after market--shoes, electrical equipment, apparel, steel, autos--foreign competitors began to gain ground. The great American job machine was slowing down. This course will tell the story of the breakdown of the post-War system and look at ways to regain U.S. industrial competitiveness.

People looking at the question of competitiveness often see what they want to see. Most business people talk about competitiveness when they really mean wage cutting. Competitiveness will mean much more during this class. It means: 1. a decent standard of living, 2. earning that standard of living rather than borrowing for it, 3. making provisions for the future. These three things are at the heart of all levels of our discussions.

To understand the problem of competitiveness we'll start by looking at the changing world economy. Gradually we'll get closer and closer to home, moving from the changing world, to the changing role of the U.S., and finally into manufacturing firms themselves. For the most part we will use graphs instead of words. Numbers sometimes speak for themselves.

Here's a guide to the graphs for the first few meetings:

1. "World Machine Tool Exports" shows the changing U.S. ability to export this important range of products.
2. "Patents in the United States" Patents are one way to measure a company's ability to be innovative. This graph shows the dominance of Japanese innovation.
3. "Percentage of All Employees in Manufacturing" shows the U.S. consistently below other industrial nations.

4. "Wages of Textile Workers". The U.S. lost 282,000 jobs in textiles and apparel from 1980 to 1985. This graph shows that high wages probably aren't the reason. These wage numbers (from 1986) are more accurate than most international comparisons because they account for differences in benefits. Most comparisons use wage rates alone, ignoring the fact that U.S. workers have to pay for many services which are provided by the government in other countries.

5. "Composition of Civilian Employment" shows that the shift toward services hasn't happened in other countries as much as it has here.

6. "Unemployment Rates..." shows that U.S. unemployment rates are actually higher than some of our competitors.

7. "Investment in Machinery..." shows that lack of investment is probably an important part of U.S. loss of competitiveness.

8. "The Value of the Dollar" shows that just reducing the value of the dollar doesn't improve the trade problem.

9. "Percentage of Labor Force in Unions" shows that high levels of unionization don't impede competitiveness.

10. "Change in Real Hourly Compensation" shows that U.S. workers are not enjoying the wage gains of some competitor nations.

Looking More at the United States itself...

11. "Manufacturing Employment Change" shows the extent of job loss in various manufacturing sectors.

12. "U.S. High Tech Trade" shows that even in high technology the U.S. is running a trade deficit (having posted a 26 billion dollar surplus in 1980).

13. "Percent of Total U.S. Employment in Export Related Manufacturing" shows the declining employment in this highly-competitive area.

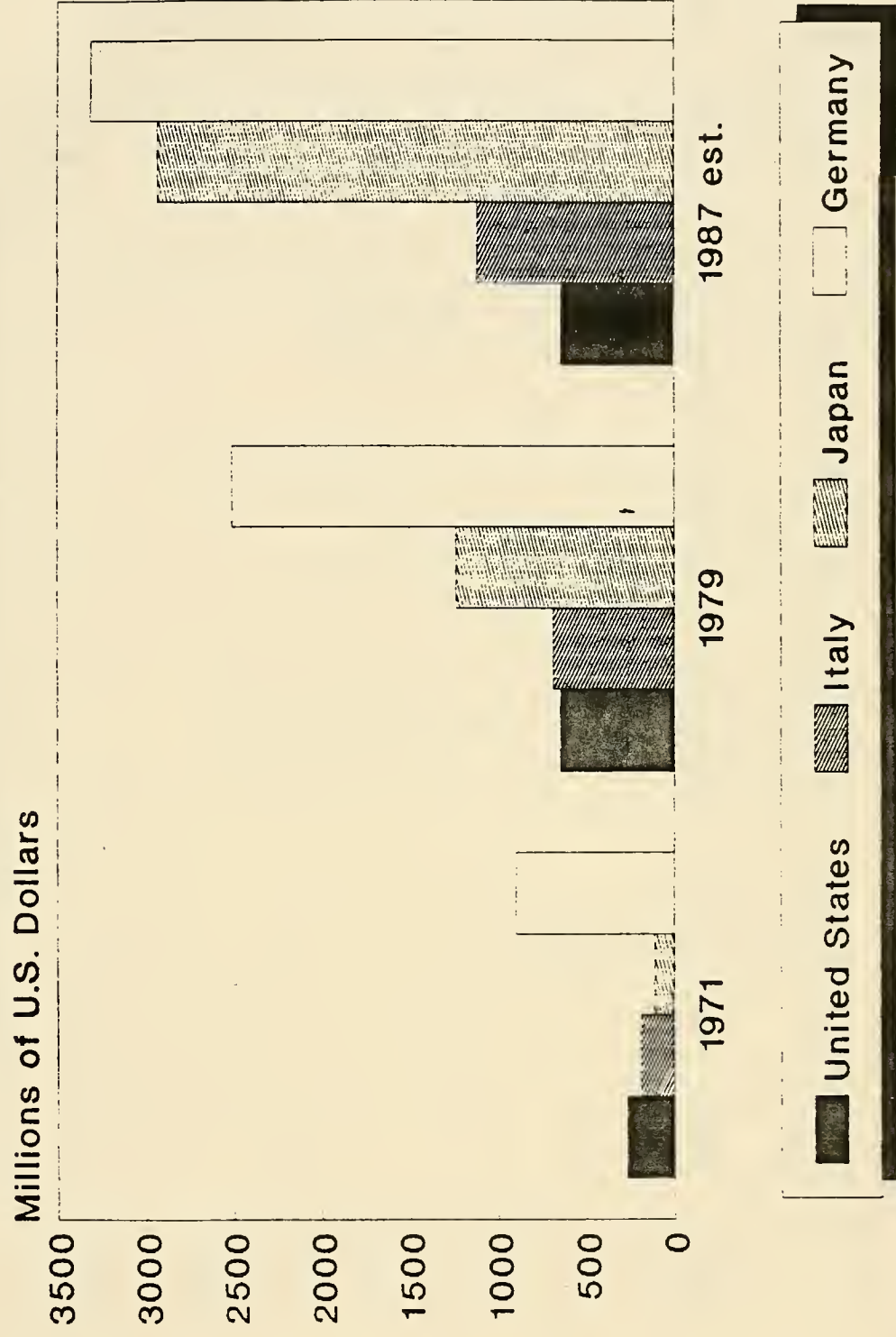
14. "Import Penetration Ratio: Manufactured Products" shows the increasing role of imports over time.

15. "Import Penetration Ratio: Selected Products" gives more detail on the rise of imports.

16. "U.S. Iron and Steel Industry" shows this important sector failing to export and increasing imports.

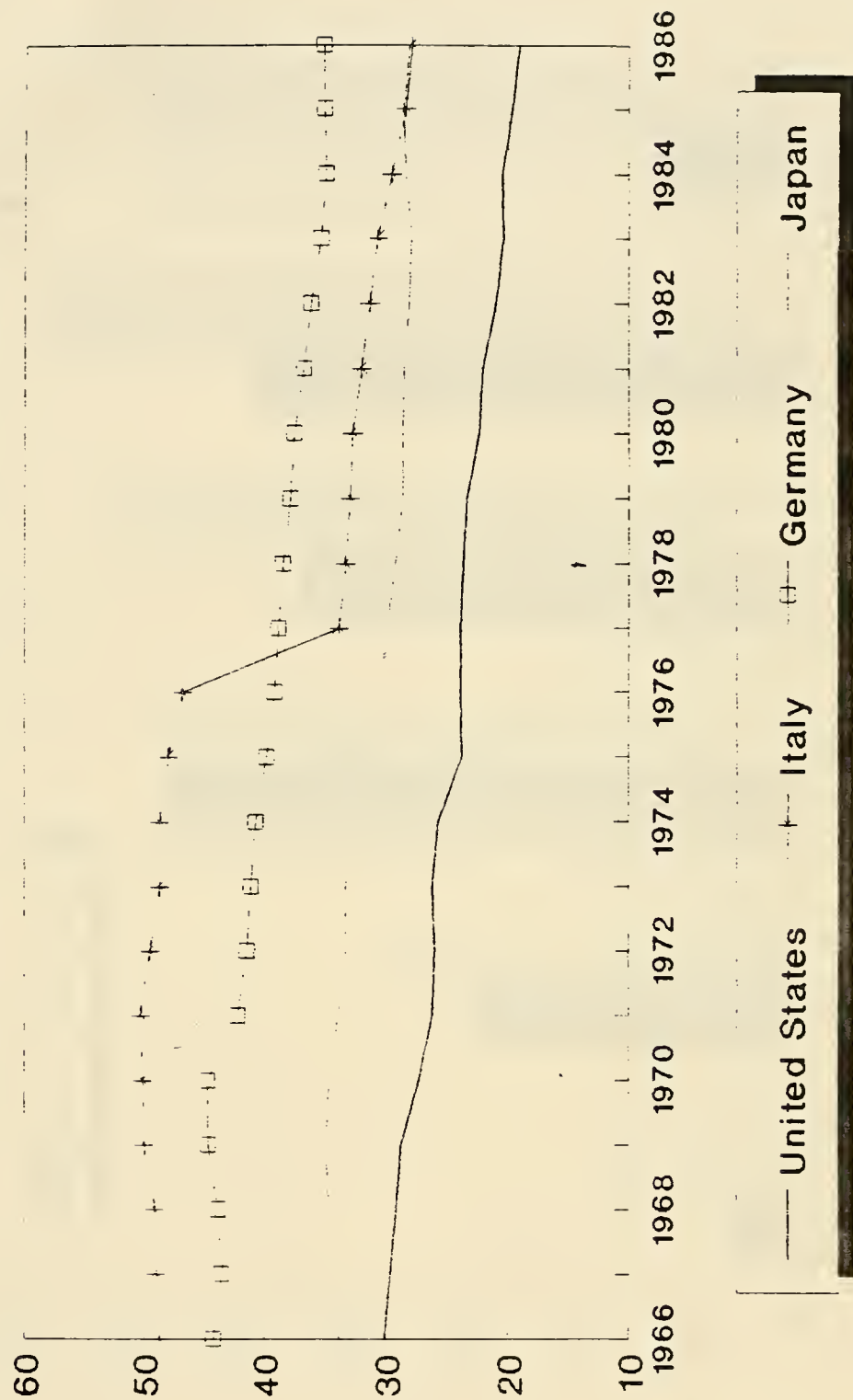
17. "U.S. Share of World Raw Steel Production" has fallen steadily since 1970.

World Machine Tool Exports



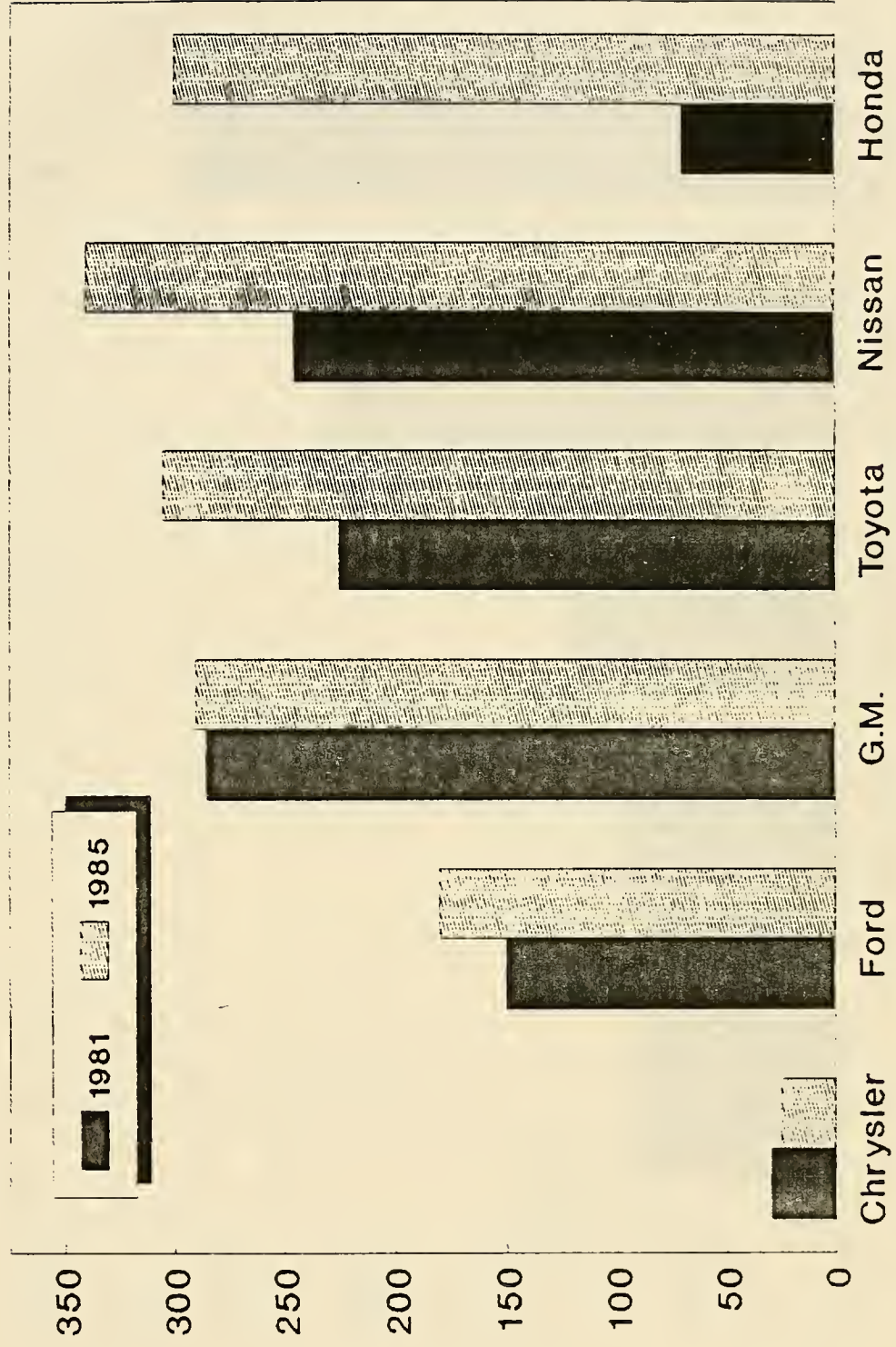
Source: American Machinist

Percentage of All Employees in Manufacturing

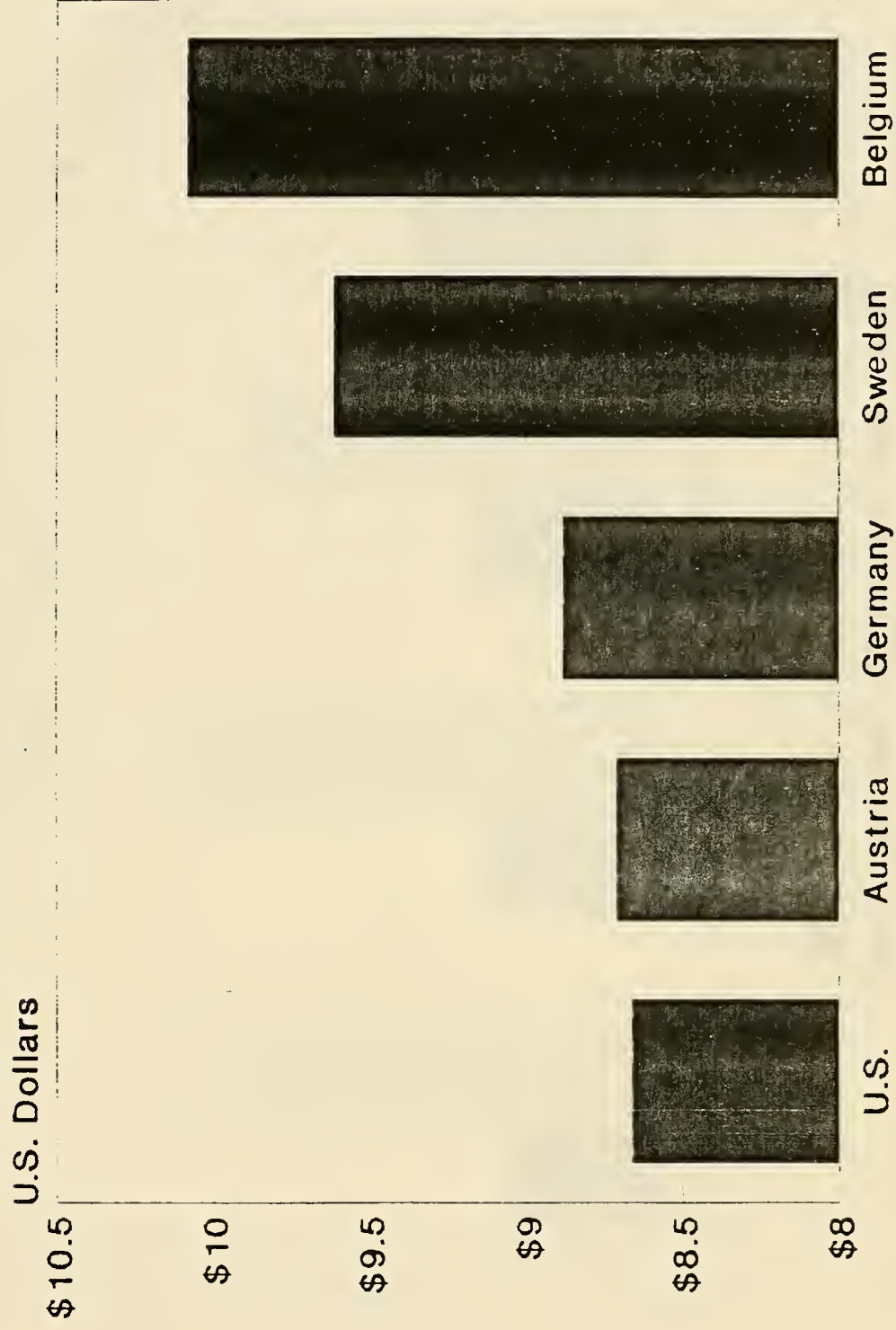


Source: OECD

Patents in the United States



Wages of Textile Workers

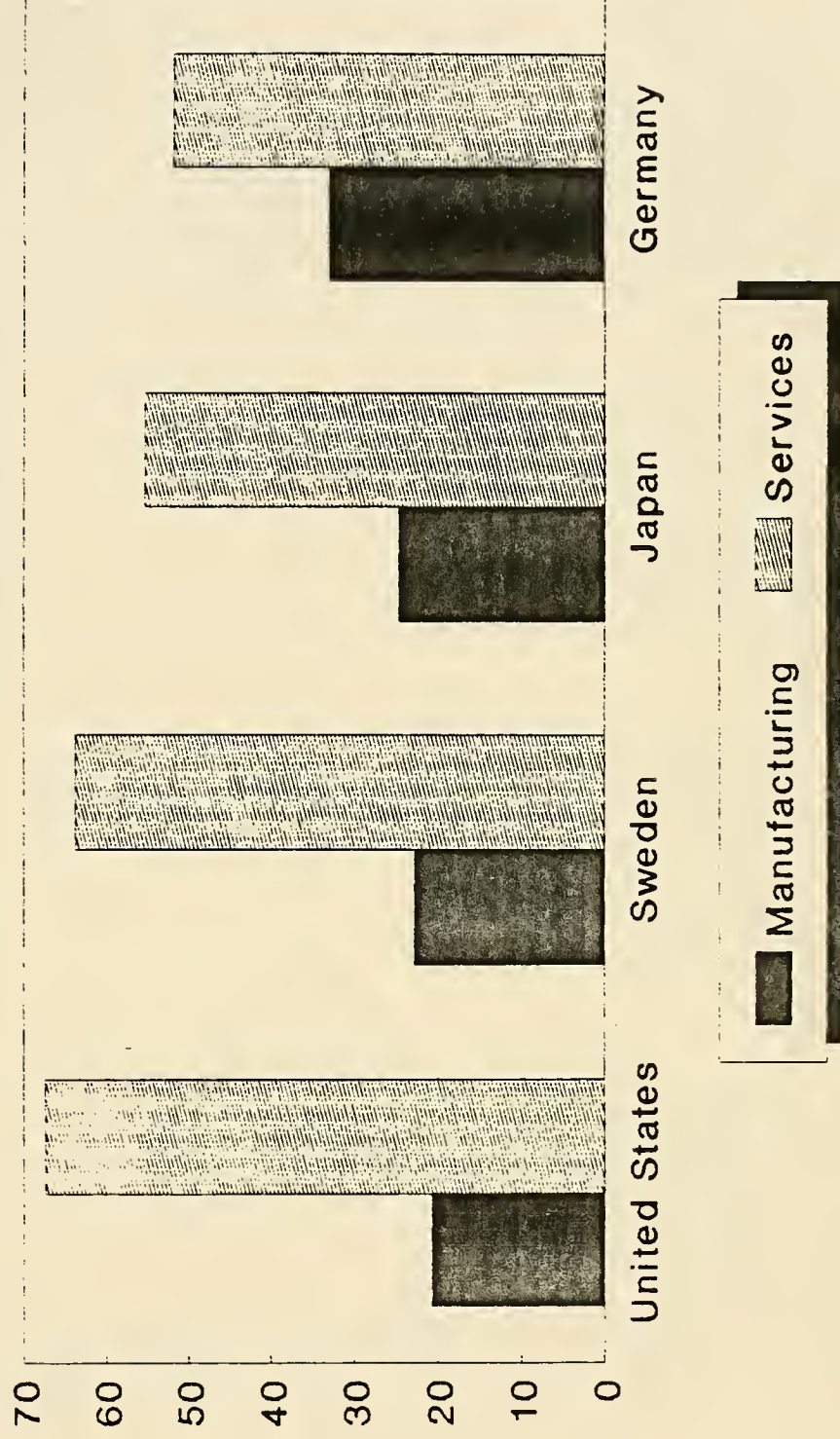


Source: Wener Associates, Inc.

Composition of Civilian Employment

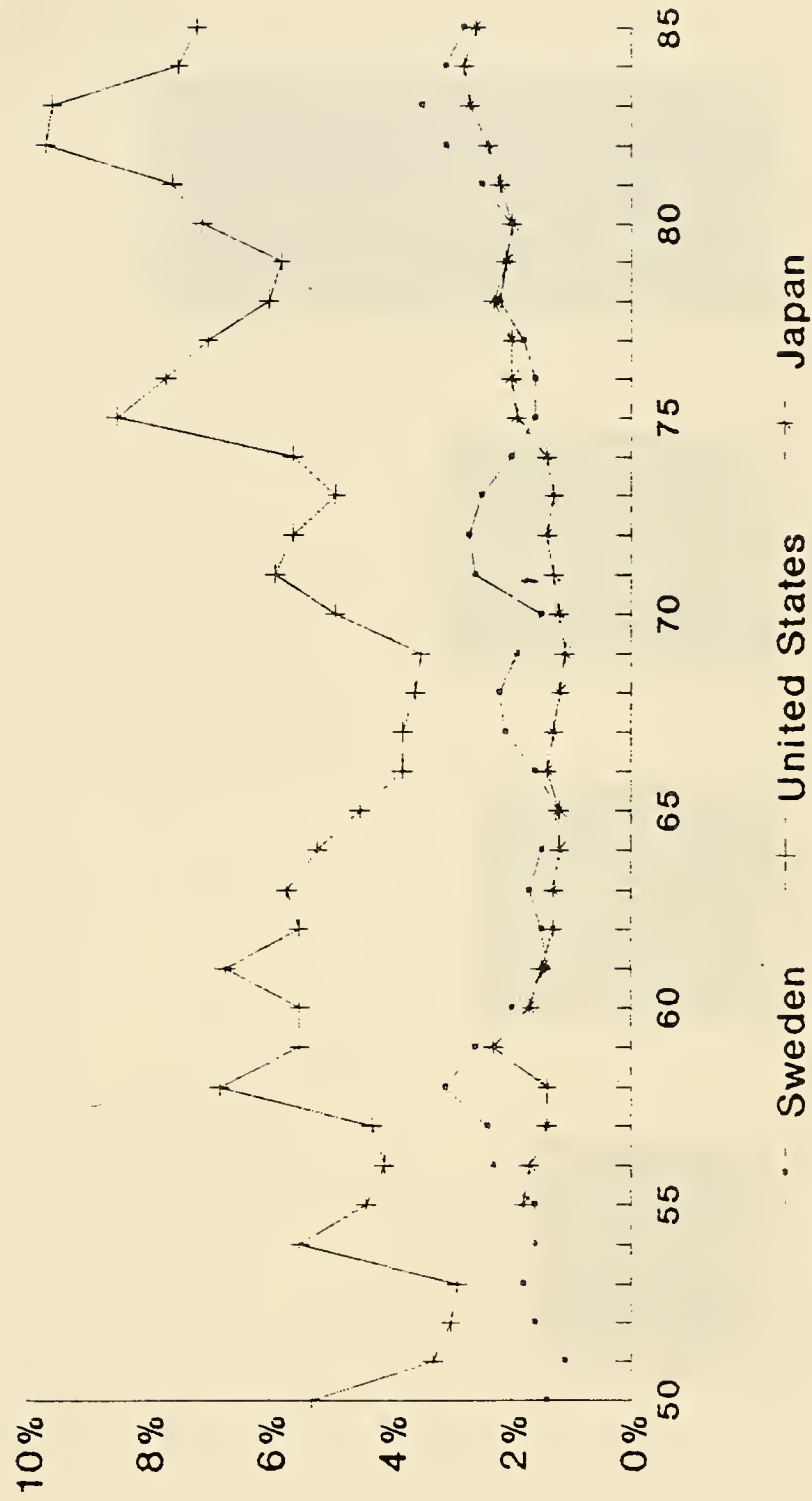
Average Percentages

1980-1984

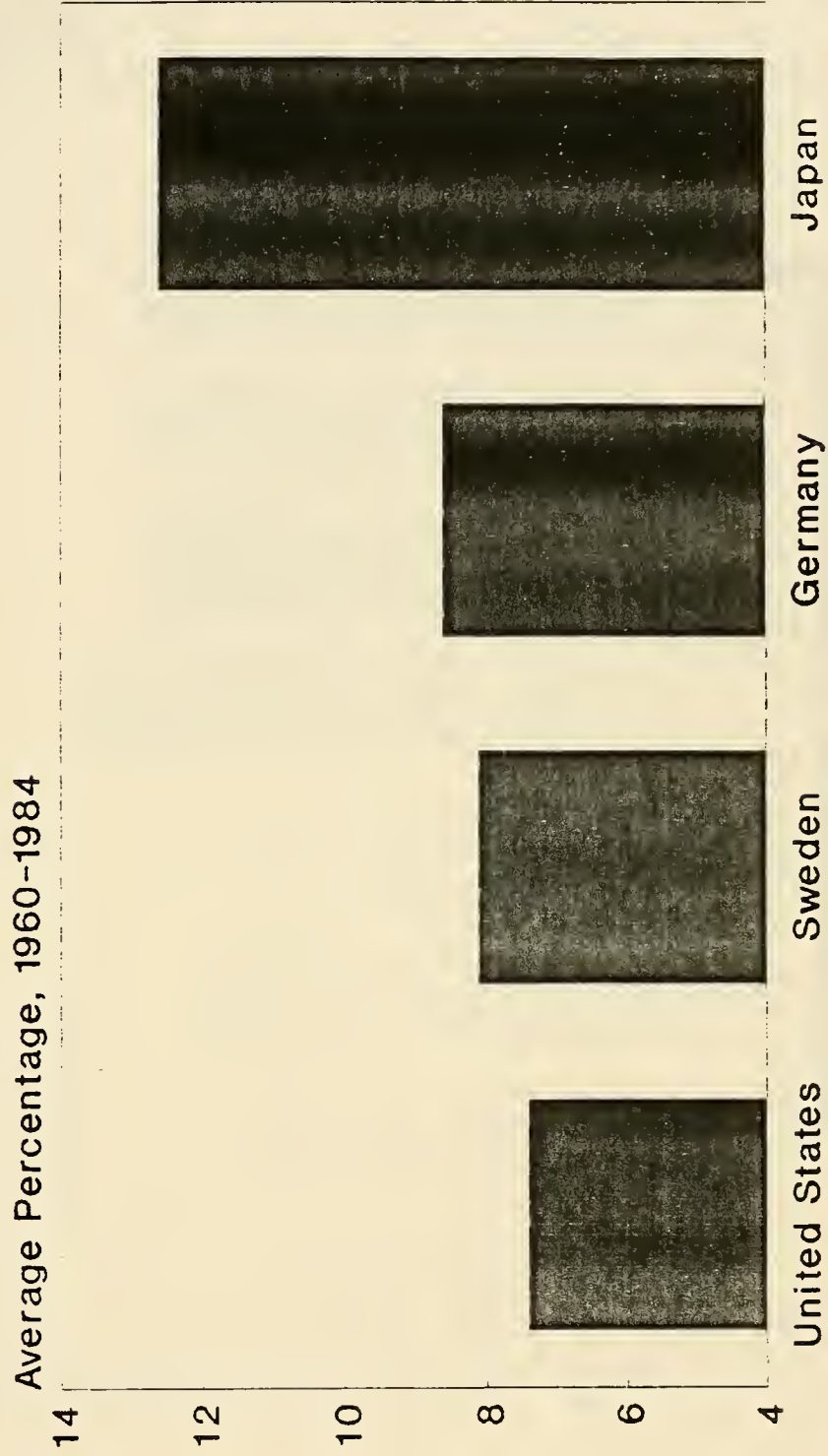


Source: EPI, No Longer Leading

Unemployment Rates in the United States, Sweden and Japan

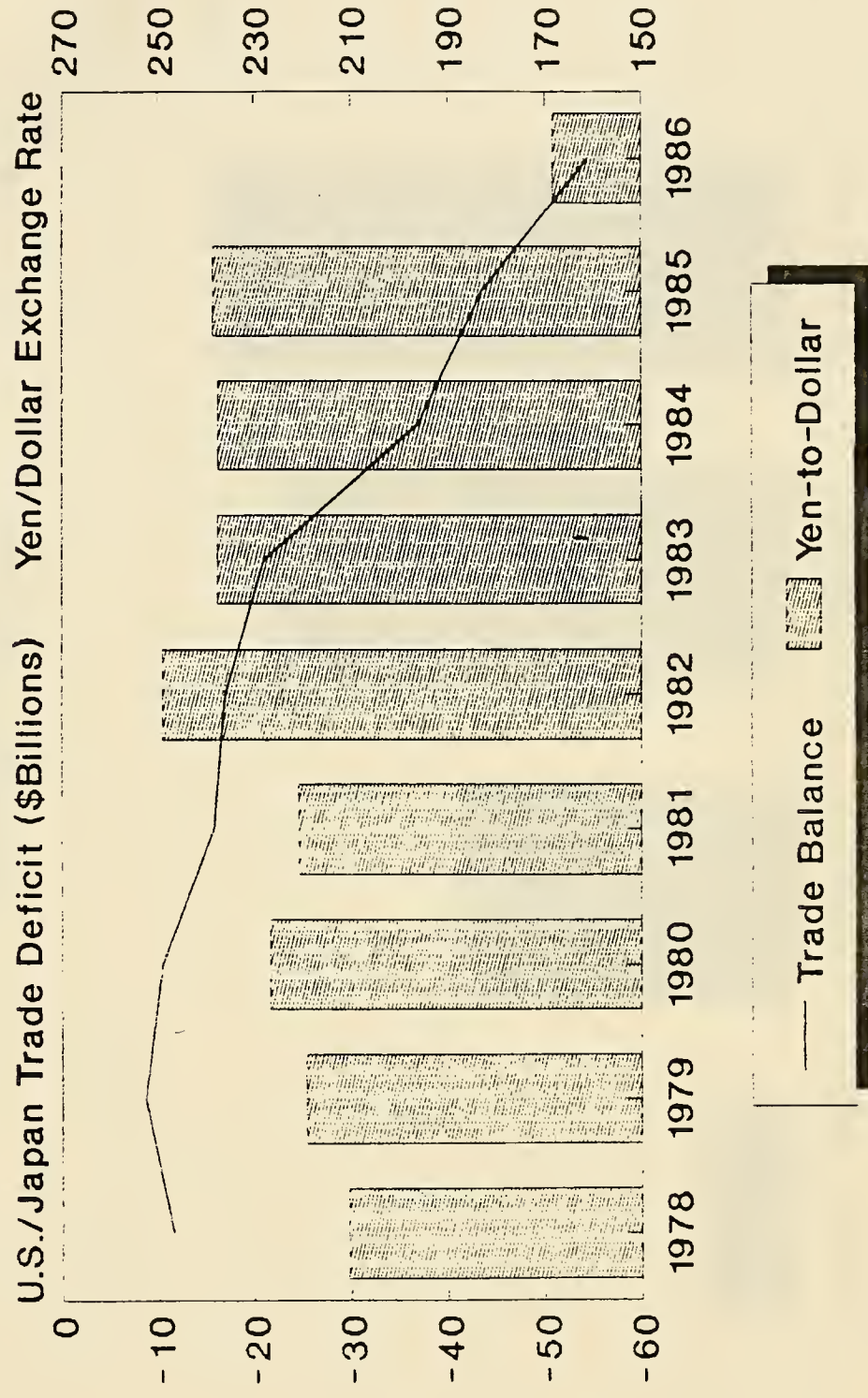


Investment in Machinery and Equipment as Percentage of GNP



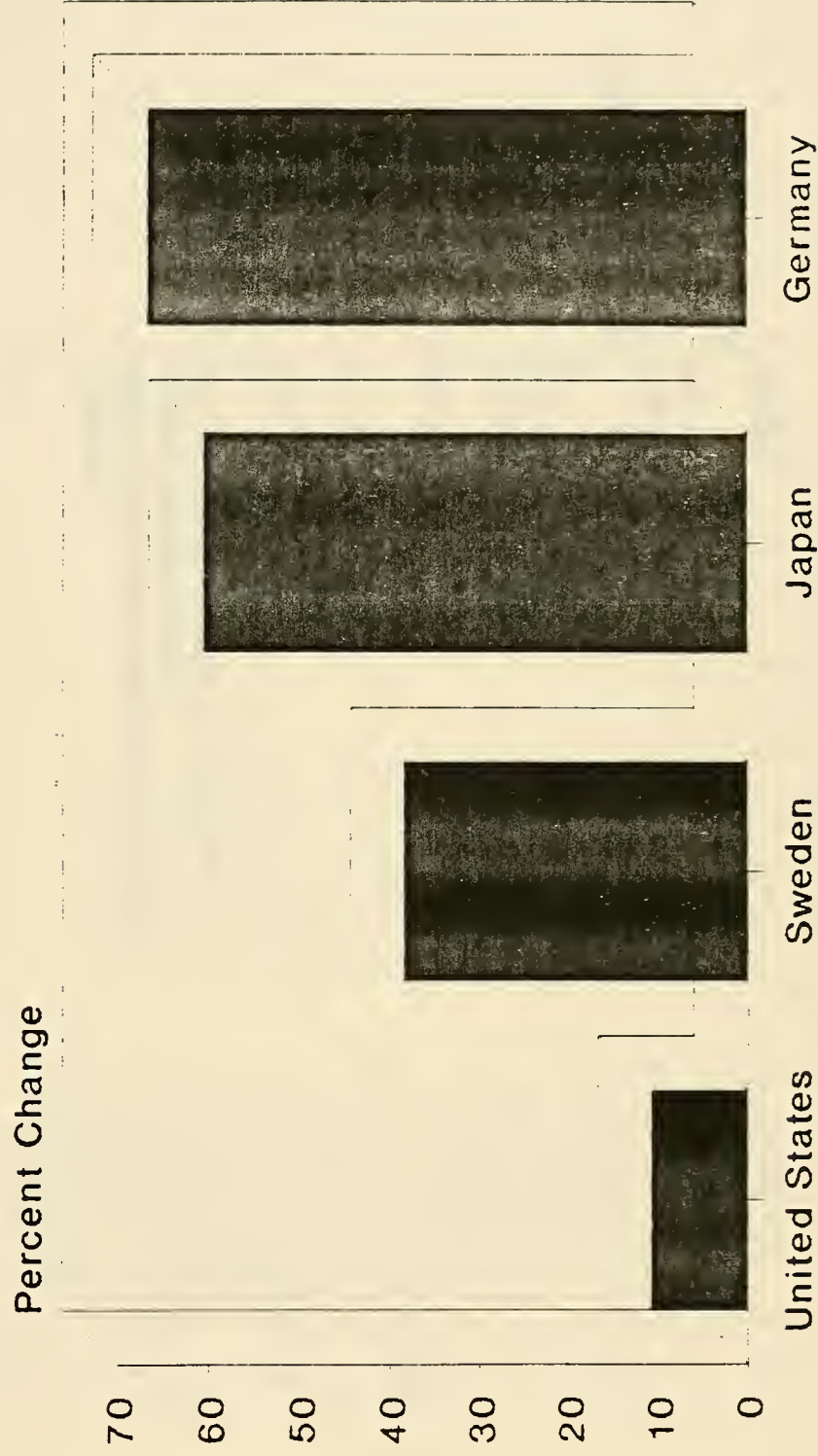
Source: EPI, No Longer Leading

The Value of the Dollar And the U.S./Japan Trade Deficit



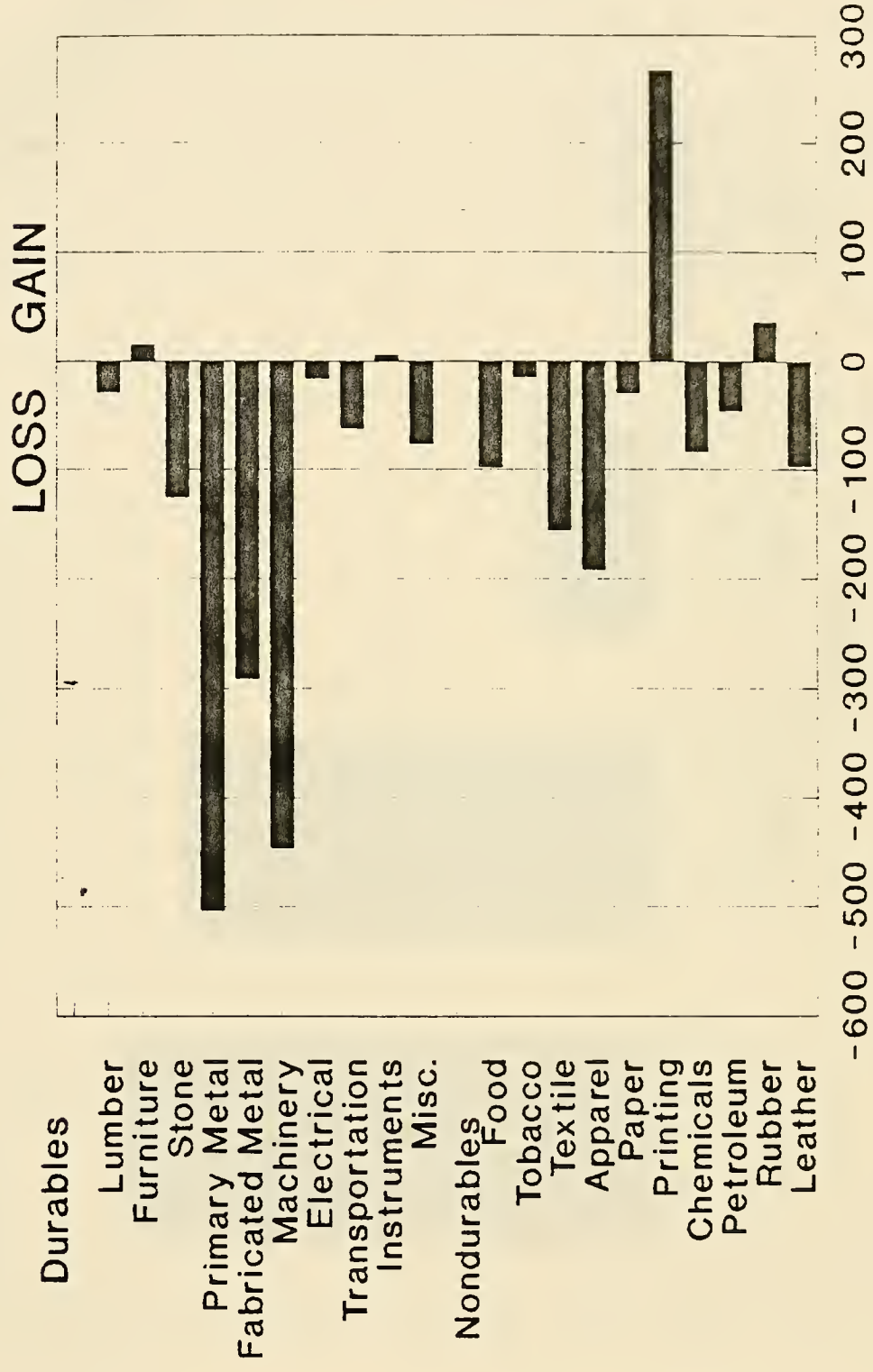
Source: Economic Report of the President

Change in Real Hourly Compensation in Manufacturing 1970-1983

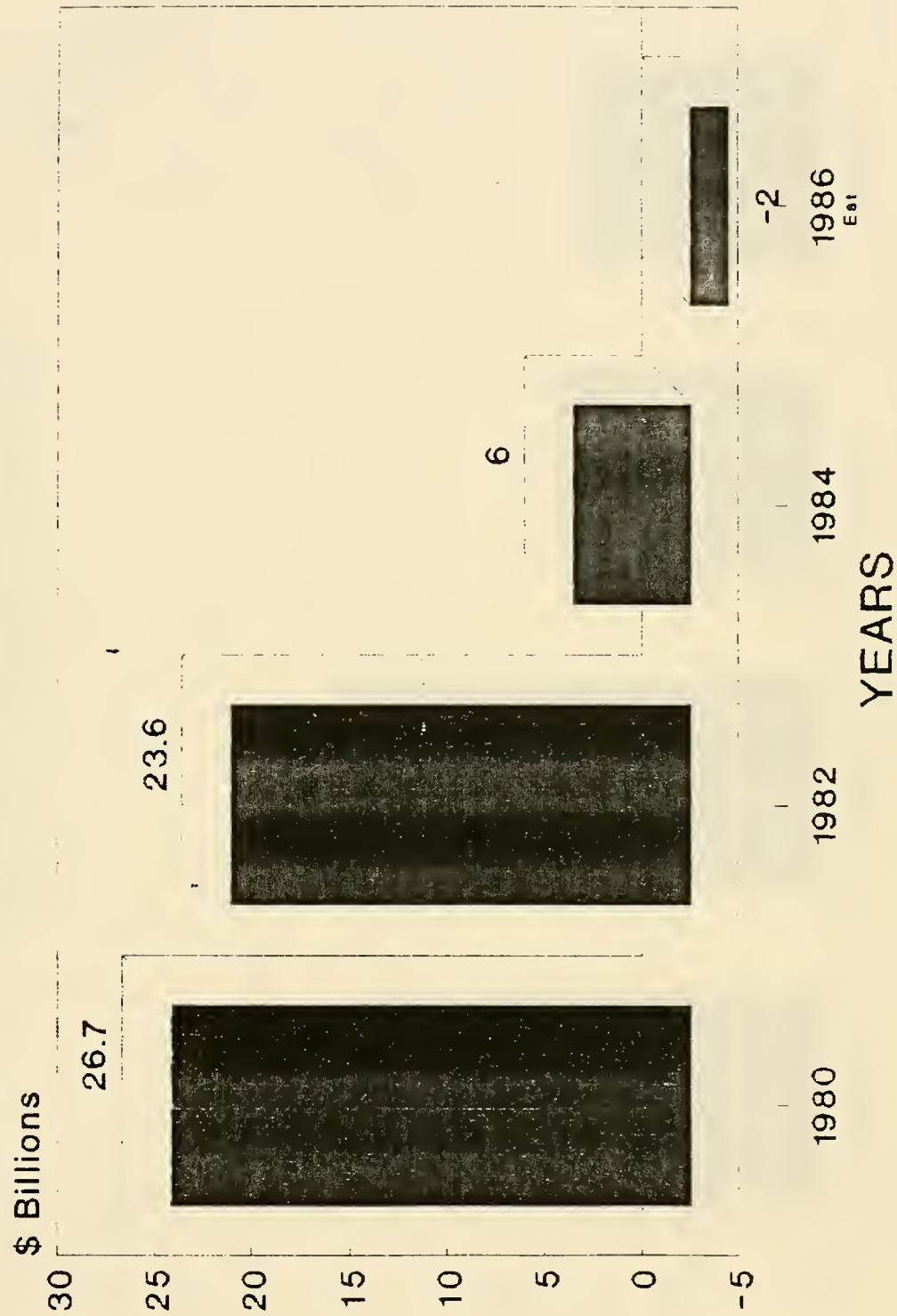


Source: EPI, No Longer Leading

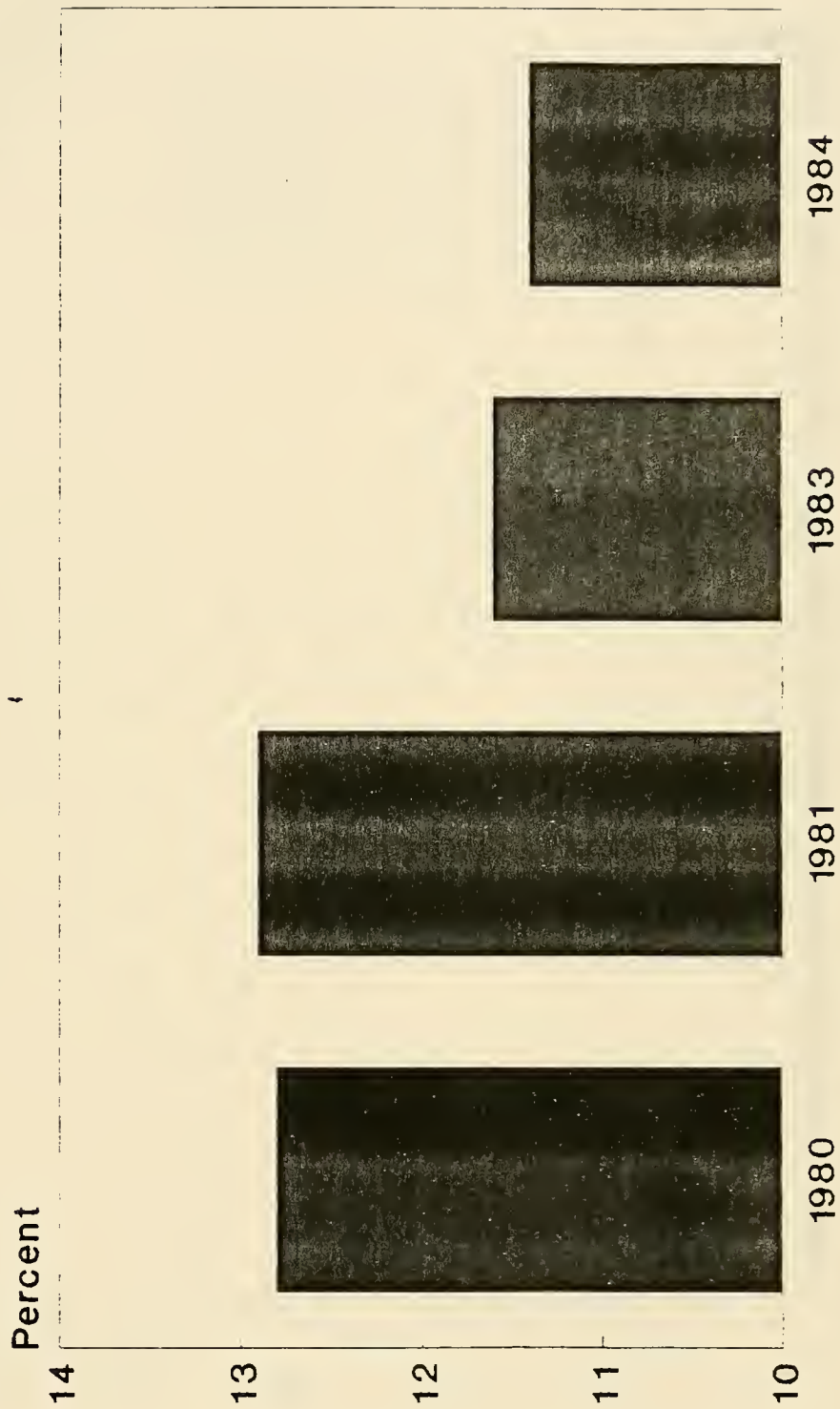
Manufacturing Employment Change 1979 to 1987



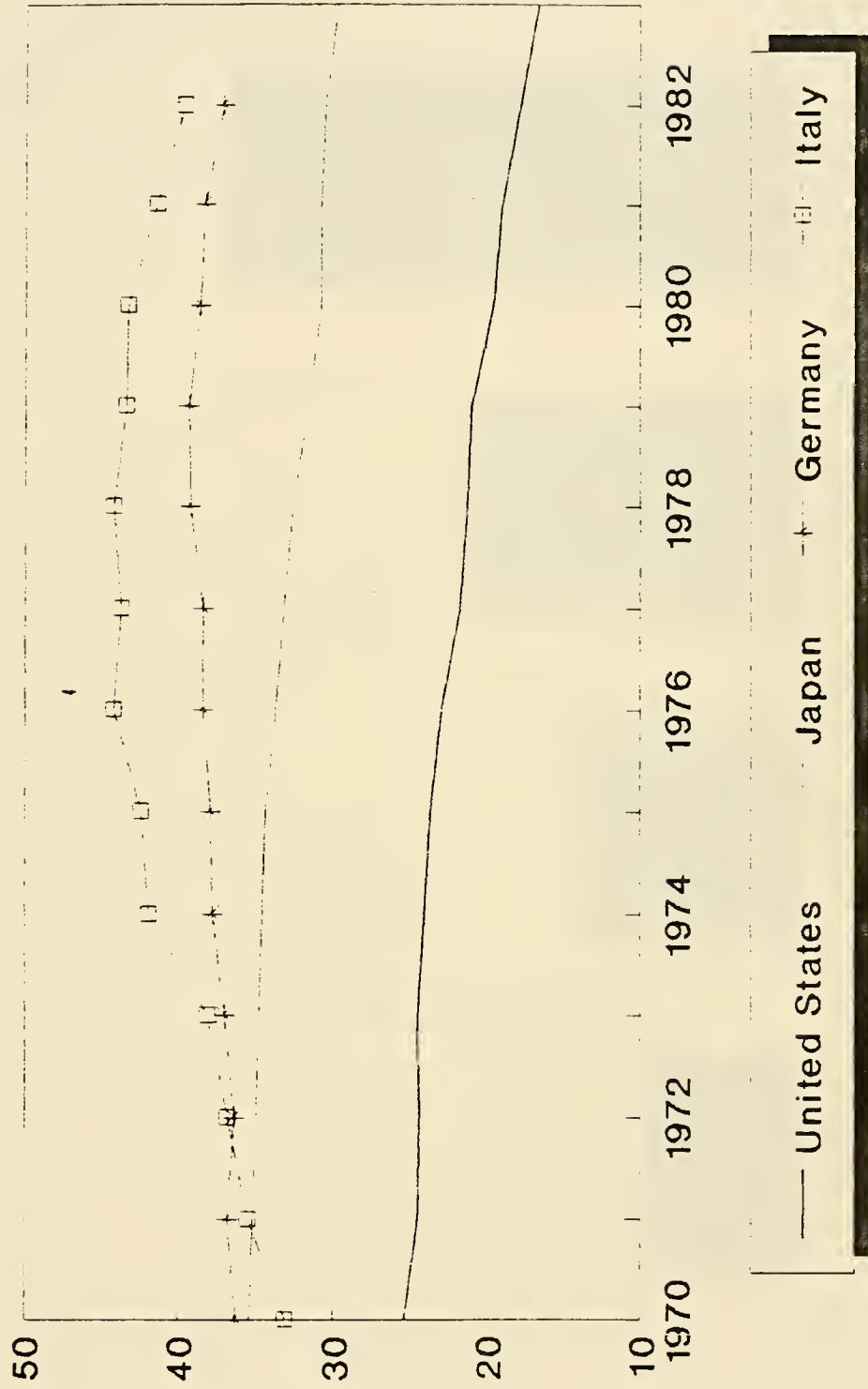
U.S. HIGH-TECH TRADE



Percentage of Total U.S. Employment in Export Related Manufacturing



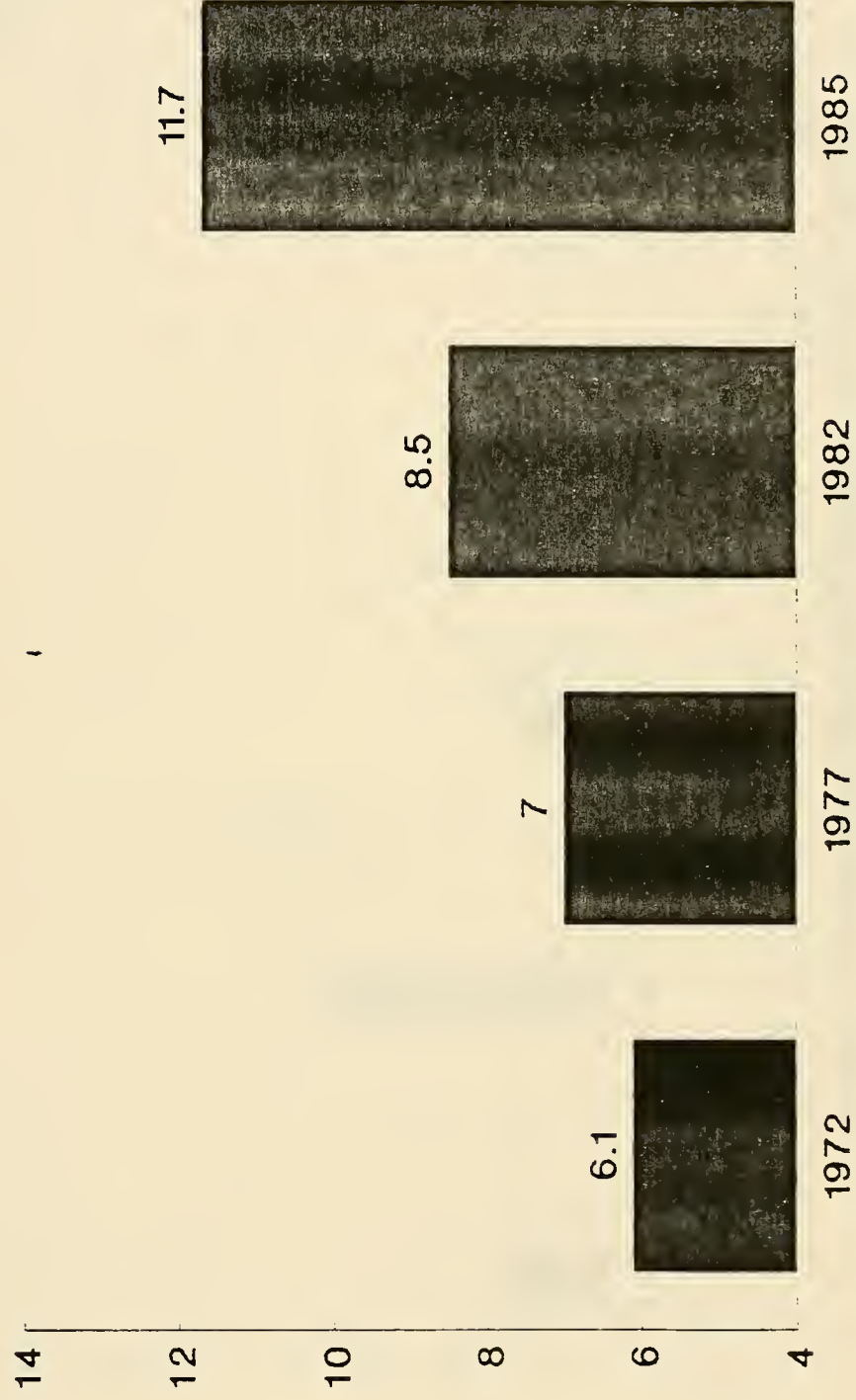
Percentage of Labor Force in Unions



Source: Union Sourcebook, IRDIS

Import Penetration Ratio*

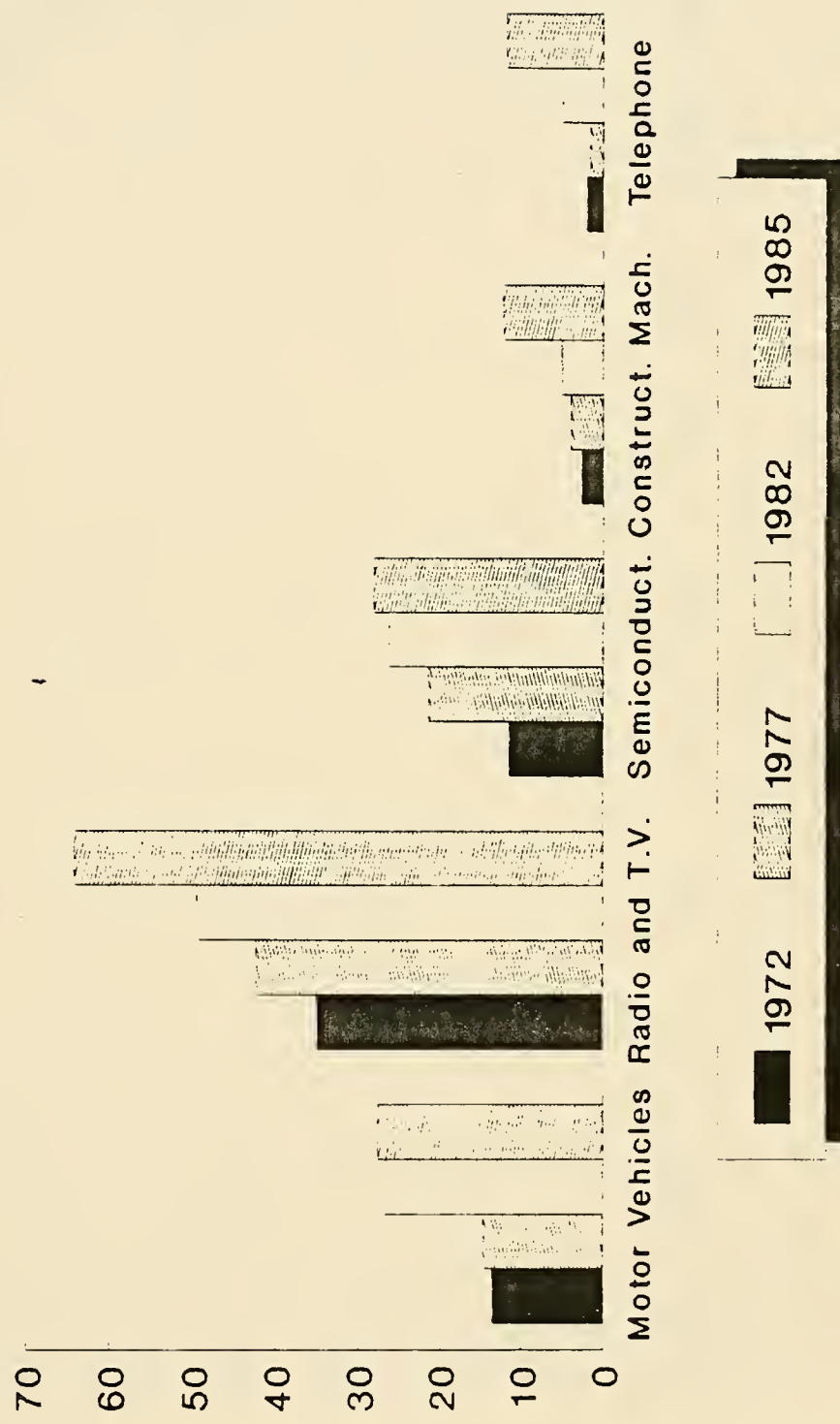
Manufactured Products



*Imports/New U.S. Supply
Source: Statistical Abstract

Import Penetration Ratio*

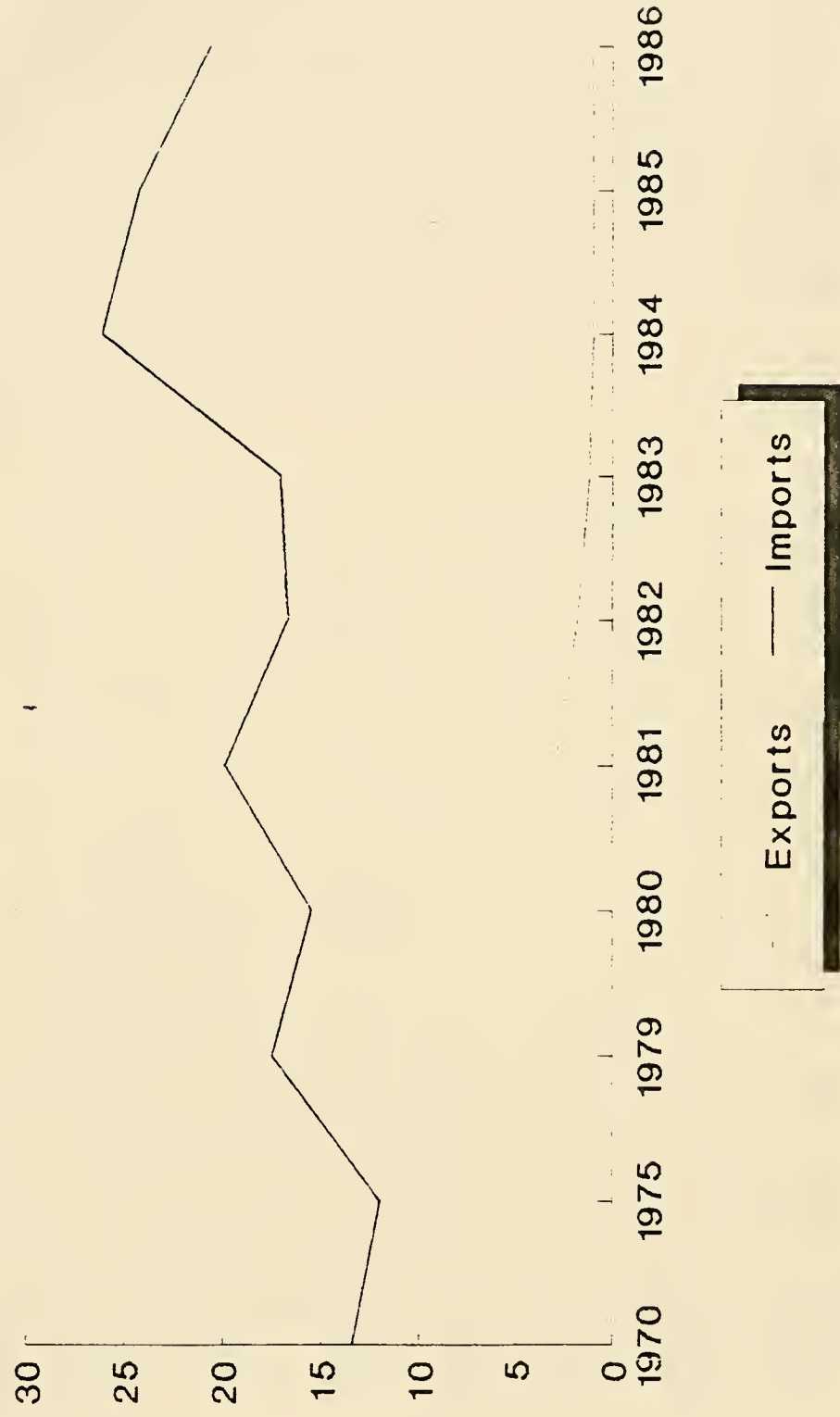
Selected Products



*Imports/New U.S. Supply
Source: Statistical Abstract

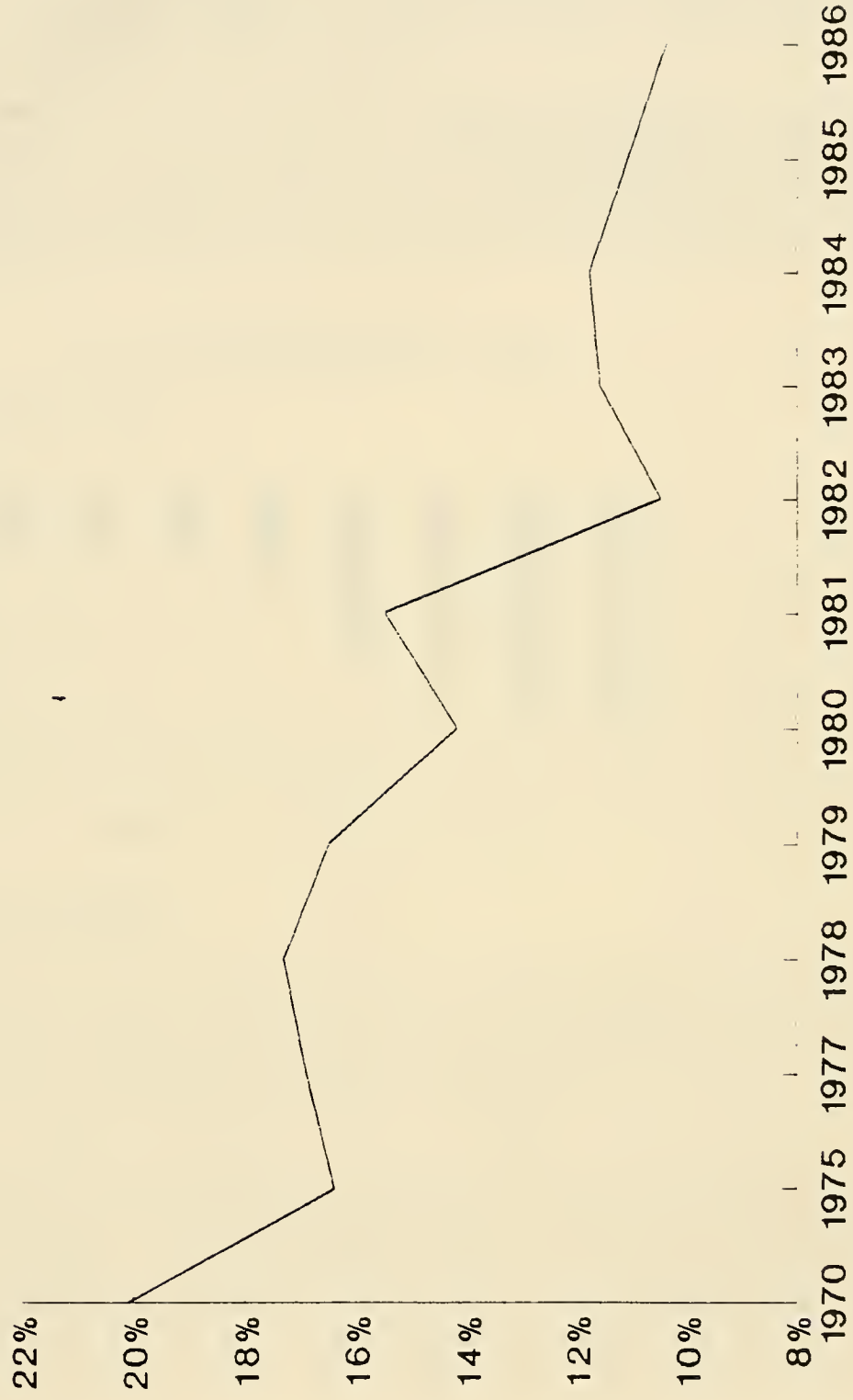
U.S. Iron and Steel Industry

Imports and Exports



Source: Statistical Abstract

U.S. Share of World Raw Steel Production



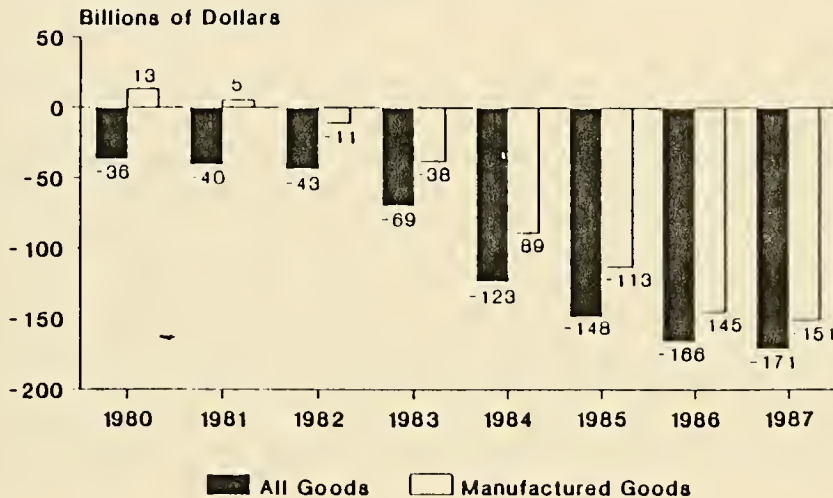
Source: Statistical Abstract

THE TRADE DEFICIT

In every year of the Reagan-Bush Administration, the U.S. merchandise trade deficit increased. A 1980 deficit of under \$40 billion mushroomed to \$171.2 billion in 1987. Trade in manufactured goods generated a surplus for the U.S. in 1980 and a deficit of more than \$150 billion in 1987. From 1981 to 1986, the dollar value of U.S. exports fell, while imports soared by \$135 billion. The 1987 export gain of \$27 billion failed to make up for the \$42 billion growth of imports.

The legacy of this Administration's trade policies will include: diminished living standards for millions of Americans, reduced manufacturing industry employment, a seriously weakened industrial base and a foreign debt of close to \$400 billion (far greater than the foreign debt of Mexico and Brazil combined). As the Reagan era comes to a close, it is useful to understand what effect the trade deficit has had on the economy, why it has grown so large and how we can repair the damage.

U.S. Trade Deficit
All Goods and Manufactured Goods

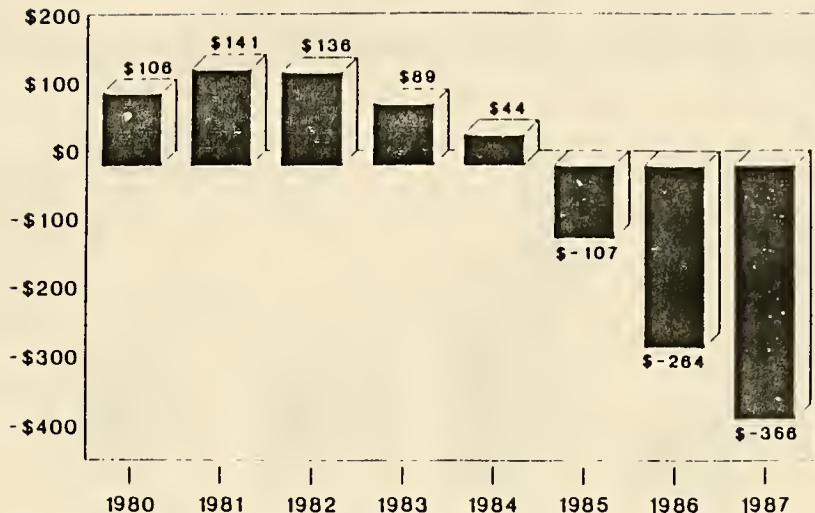


The Effects of the Trade Deficit

Studies conducted by the U.S. Department of Labor, the Congress' Office of Technology Assessment, the UAW and others, have found that workers displaced due to plant closings or layoffs (often directly related to our trade deficit) remain unemployed for extended periods, many are forced to use up their personal savings, and those who find new jobs suffer, on average, substantial declines in earnings.

In addition to the hardships imposed on American workers by the staggering trade deficit, the foreign debt which is piling up will become a drain on future U.S. living standards. The foreigners (corporations and governments, as well as individuals) paid with dollars for their exports to the U.S. invested heavily in U.S. assets (stocks, bonds, office buildings, establishing or buying businesses) rather than buying U.S. goods and services. Even though U.S. ownership of assets abroad has continued to grow, it has fallen so far below the pace of foreign asset acquisition in the U.S. that the U.S. has been transformed from the world's largest net creditor to the largest net debtor in just a few years.

The Net Foreign Debt of the U.S. (billions of dollars)



Source: U.S. Commerce Department

At some point these debts will have to be repaid. The flow of funds abroad to pay interest and principal on this debt at a time when the revitalization of U.S. industry is needed will make domestic economic growth (and thus rising living standards) much more difficult to achieve. If we allow these debts to accumulate we are simply deferring the problem to the next generation of Americans. It is far better to prevent such debts than to repay them after they have been incurred.

The Reagan Administration's disastrous trade policy is the direct cause of this problem. To undo this damage, to restore balance to U.S. trade accounts and provide a foundation for economic growth, the next president must acknowledge the failure of the Reagan Administration's trade policy. He must be willing to use trade policy to strengthen the American economy, to increase the number of jobs that pay decent wages and allow for higher living standards.

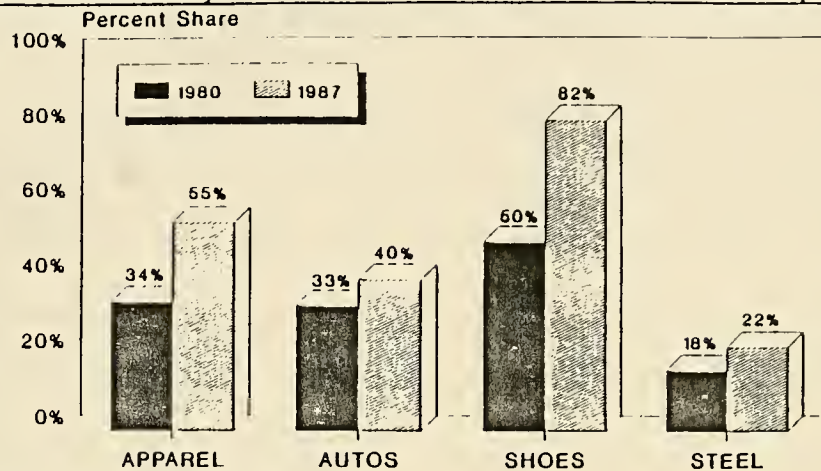
Republican Inaction on Trade

The combination of the 1981 tax cut for the wealthy and tight monetary policy that pushed interest rates up (and kept inflation-adjusted "real" interest rates high) generated high incomes and increased purchasing power for the richest Americans. This policy attracted money from abroad which sent the value of the dollar soaring and contributed to the increasing U.S. trade deficit. It also means the loss of jobs in export-oriented industries (construction and agricultural machinery, machine tools, agriculture, etc.) and import-competing industries (auto and auto parts, machinery, steel, textiles and apparel, electronics, etc.). The shift of employment from manufacturing to industries which are not involved in international trade (services like retail trade, restaurants, cleaning services, health care) that have low wages, part-time or temporary positions and minimal fringe benefits has resulted in a lower standard of living for millions of people.

The Administration's trade policy, to the extent there was one, focused on modest efforts to reduce foreign trade barriers, especially those that restricted investment by U.S. companies. For example in early 1985 the Administration failed to exert pressure on Japan to continue its restraints on auto exports, just as the restraints were starting to produce significant benefits when domestic production was recovering from the

recession. The Japanese government decided to raise the restraint level by 24%; this allowed imported cars from Japan to capture half the 1985 increase in total U.S. car sales.

Imports Have Dramatically Increased Their Share of U.S. Consumption Since 1980



Source: AFL-CIO Research Department

By 1985, dissatisfaction in the Congress with the Administration's inaction on trade became so widespread that serious consideration of broad revisions in U.S. trade laws to limit presidential discretion began. The House passed an omnibus trade bill in 1986 that included, among many other provisions: one offered by Representative Richard Gephardt (D-MO) to require our trading partners with the largest trade surpluses to reduce them by 10% each year for four years. The Republican-controlled Senate failed to act on trade legislation, but the Administration was put on notice that, if the Democrats gained a Senate majority in 1986 (which they did), trade legislation would be a high priority for the Congress.

In response to this increased trade activity in Congress, the Administration pushed for the value of the dollar to fall (to make U.S. exports cheaper abroad and imports more expensive), initiated several unfair trade practice cases, intensified product-specific discussions with Japan (semi-conductors and auto parts) and encouraged the opening of a new round of international trade negotiations under the General Agreement on Tariffs and Trade (GATT).

Despite a substantial decline in the value of the dollar that began in 1985, the U.S. trade deficit continued to grow in 1986 and 1987. There are some indications that it may shrink a bit in 1988, as exports are up and the growth of imports has slowed down. **Assuming the best, we will have a deficit of \$140 billion for the year and little prospect of it falling much farther. The net U.S. debt, and the substantial payments abroad that it entails, will mount as long as the trade deficit continues.** Along with interest payments on the national debt, this will continue to transfer income from those least able to afford it to the wealthy.

Many of the unfair trade practice cases raised by the Administration have been resolved, but with no observable effect on U.S. trade. Cases involving leather, cigarettes, insurance and copyright protection were pursued to lay the groundwork for issues the Administration wanted to raise in the multilateral trade negotiations in the GATT -- agriculture, services, investment. The benefits for American workers, even if international agreement is reached setting rules for acceptable practices, will be hard to find. **Many changes in the U.S. law covering unfair trade practices that would help**



workers and which Congress included in the trade bill passed by the Congress in May and vetoed by the President -- inclusion of worker rights abuses, export targeting, restrictive private industry practices -- were opposed by the Administration.

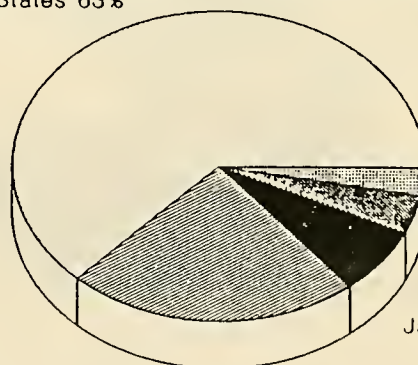
The negotiation of "free trade" agreements has also been an Administration priority. The Caribbean Basin Initiative provides extensive duty-free entry into the U.S. market for products from the Caribbean and a bilateral free-trade agreement with Israel was reached. The latest such effort, with Canada, is likely to be voted on by Congress before the end of the year. The U.S.-Canada accord covers issues beyond those in the other agreements and could undermine the application of U.S. trade law protections for U.S. workers and industries. As with other Administration initiatives, a great deal of energy and effort were spent on these negotiations and there is little to show for it.

These and other Administration "activities" failed to deter the Congress from passing trade legislation in 1987 that would have significantly limited the ability of the President to avoid taking action against injury-causing imports or unfair foreign practices that hurt U.S. exports. Sadly, in the face of intense lobbying by the Administration, foreign governments and many U.S.-based multinational corporations, the most meaningful changes in the bills passed by the House and Senate were removed in the joint Conference Committee that produced a single piece of legislation from the different versions passed in the two houses of Congress. Even that modest trade bill, including a watered-down plant closing notification provision, was vetoed by the President.

Most recently, the Senate and House have separated the plant closing measure from the trade bill and passed the 60-day notification legislation by enough votes to override a presidential veto (which has not occurred as of writing this, but is expected). The House has overwhelmingly passed the trade bill (with the plant closing provision removed). The Senate will almost certainly pass the bill by a similar wide margin before the Congressional recess in August. This time, with the plant closing provision removed, the President is likely to sign the trade bill. The UAW strongly supported passage of the plant closing bill and endorsed adoption of the trade bill.

**Share of Developing Country
Exports of Manufactured Goods in 1985**

United States 63%



Other 3%

Canada 4%

Japan 7%

European Community 23%

SOURCE: Department of Commerce

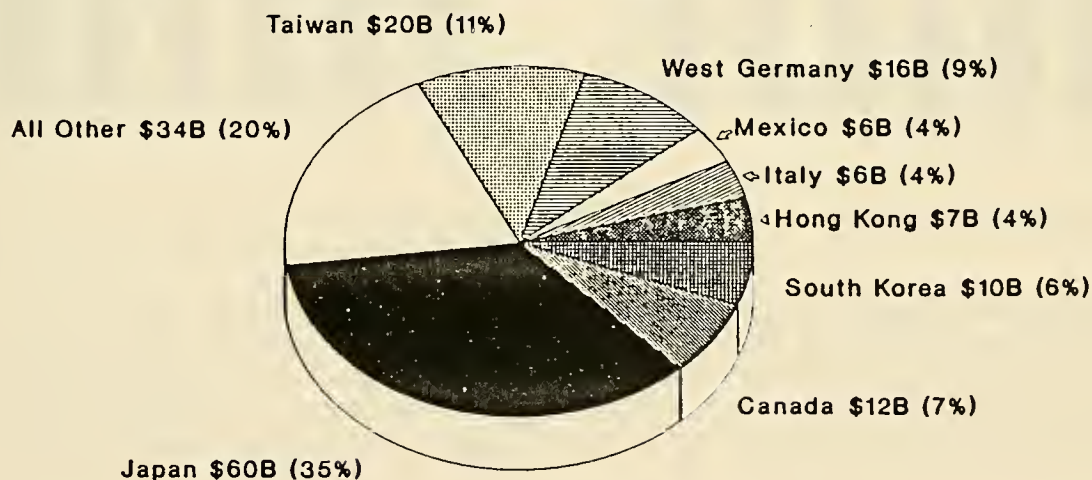
The U.S. absorbed nearly two-thirds of all manufactured goods exported by the developing countries, while the European community with a larger population only took a fourth of their exports and Japan with a population of half that of the U.S. only took 7%.

What Needs To Be Done

Despite the likely enactment of trade legislation in 1988, U.S. trade policy remains mired in the assumptions of the past ("free trade" is good for the country), even as the reality of lower living standards and increased poverty are documented by more studies. The need for a change in direction is clear; continuation of failed Reagan-Bush Republican policies on trade would be a disaster for working people and for the country. Some of the needed policy changes advocated by the UAW are:

1. **Restore balance to our international trade.** This could be accomplished through coordinated economic policies and negotiations on trade policy with our trading partners, plus restrictions on access to the U.S. market if necessary.
2. **Increase demand worldwide.** Raising wages in developing countries, income redistribution (in the U.S. and abroad), reduction in the Third World debt burden, the elimination of worker rights abuses by oppressive governments are some of the measures that would help achieve this goal.
3. **International trade should benefit workers, not just companies.** The use of existing U.S. trade laws, and tightening of those laws where needed, should support this goal by assuring relief for injured workers and for industries that are committed to U.S. investment and employment.
4. **Industrial Policy.** Around the world other nations are planning, coordinating and setting goals in order to spur industrial development. To assure continued U.S. production and employment in industries that are essential to maintaining high living standards we need to do the same.

U.S. Merchandise Trade Deficit By Country in 1987
(billions of dollars)



SOURCE: Department of Commerce

A third of the U.S. trade deficit is accounted for by Japan. Seven countries, Taiwan, West Germany, Canada, South Korea, Hong Kong, Italy and Mexico account for another 45% of the U.S. trade deficit.

THE MINIMUM WAGE

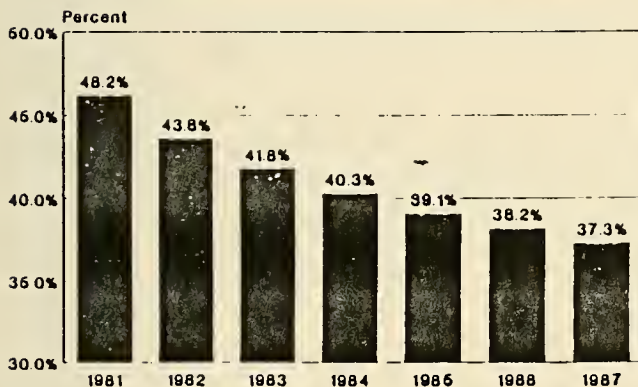
Legislation

- * The Minimum Wage Restoration Act (S. 837; H.R. 1834), introduced by Senator Edward M. Kennedy (D-Massachusetts) and Representative Augustus Hawkins (D-California), would raise the federal minimum wage to \$4.55 an hour in three yearly increments of \$.40 each. This legislation is being met by Republican pressure for a youth sub-minimum wage. The vote on this legislation has been rescheduled for mid-July.

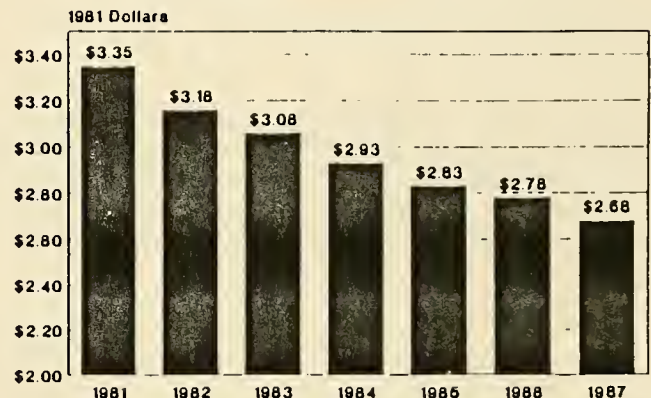
Statistics and Facts

- * In 1981 the minimum wage reached \$3.35 an hour and it has not been increased in seven years.
- * 11 states have increased their minimum wage above the federal level.
- * In 1987 the minimum wage of \$3.35 an hour represented only 37% of the average hourly earnings in the U.S., the lowest percentage of average hourly earnings in the history of the minimum wage law.

**Minimum Wage
As a Percent of Average Wage**



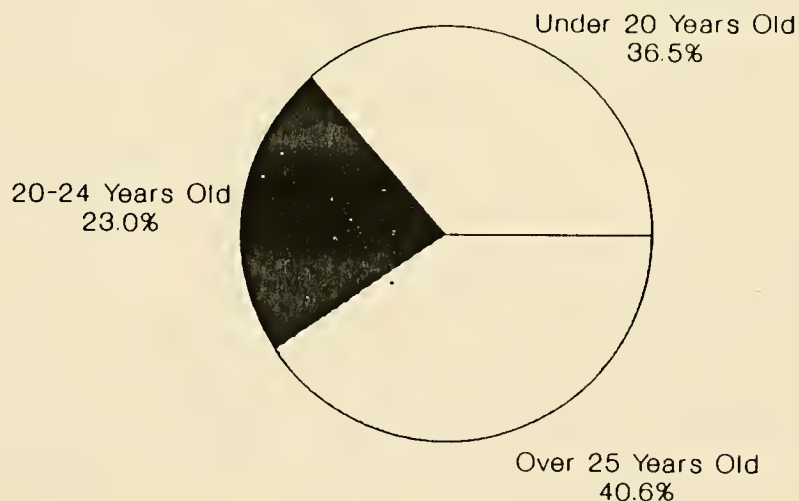
**The Declining Minimum Wage
1981-1987**



- * Of the 6.5 million American workers paid at or below the minimum wage, 64% are adults and 66% are female.
- * A 1984 Labor Department study found little evidence to support the Republicans' claim that increasing the minimum wage would lead to an increase in teenage unemployment. The study claimed that a 10% increase in the minimum wage would increase teen unemployment by less than 1%. In addition, a recent survey by the Bureau of National Affairs shows no link between a minimum wage hike and layoffs.
- * In 1977 when Congress was considering increasing the minimum wage, the U.S. Chamber of Commerce estimated that 391,000 teenagers would lose their jobs. The actual result was that teenage employment increased by 582,000 in 1978 despite an increase in the minimum wage from \$2.30 to \$2.65 per hour. In 1979, when the minimum wage was raised again, teenage employment showed a further increase.

- * There has been a dramatic increase in the number of households headed by women in recent years. Women who are the head of households are 4.5 times more likely to earn minimum wage than men.
- * Racial and ethnic minorities constitute a greater proportion of the minimum wage workforce than of the total hourly paid workforce.
- * In 1986, 52% of all hourly minimum wage workers were employed in the service sector -- the area with the most expected employment growth over the next 10 years.
- * Under the current minimum wage, **employment is no guarantee of escaping poverty**. Working full time at the minimum wage, a worker earns a gross income of \$6,968. This figure is more than \$4,000 below the poverty line for a family of four. After subtracting taxes and transportation costs to and from work a full-time minimum wage job pays \$5,700 a year, a figure under the poverty threshold for a single person with no dependents or child care expenses.
- * In 1981 the Minimum Wage Study Commission found that a 10% increase in the minimum wage would have less than a 0.3% effect on inflation.
- * After the 1981 increase in the minimum wage, only 21% of all industries changed their prices as a result of the increased labor costs.
- * A minimum wage of \$5.35 an hour in 1987 would equal the purchasing power of the \$1.60 minimum wage in 1968.
- * The Republican proposal for a sub-minimum wage is a threat to basic wage protections for all workers. The Fair Labor Standards Act (FLSA) already provides for a 15% lower minimum wage for workers who are in training programs such as students and apprentices, although this rule is seldom exercised by employers. The FLSA provisions would remain intact with the proposed increase in the minimum wage.

Who Works for Minimum Wage?



THE U.A.W. AND NEW WORK STRUCTURES

This brief discussion outlines some elements of U.A.W. experience with new forms of work organization. It is intended to illustrate the complexity of Quality of Work Life projects. The phrases Q.W.L., "Employee Involvement" and "team concept" can have very different meanings in practice, but they will be lumped together here to mean any deviation from the usual practice of work rules.

Environment

The U.S. auto industry has taken a severe beating in recent years. Production worker employment in motor vehicles and equipment was 22% below 1978 levels in mid 1988 despite five years of economic recovery. U.A.W. membership in the auto industry declined from over 700,000 in 1979 to less than 440,000 in 1983. After a slight rebound, U.A.W. membership in the auto industry has fallen back toward 1983 levels in 1988.

In 1955, imports accounted for less than one percent of new car sales. By 1970 that share was 14.6 percent. In 1981, 25.2 percent. As the pressure mounted, both the U.A.W. and the auto makers were facing a new environment.

Bargaining History

From 1948 to 1979 the U.A.W. maintained a three part strategy in contracts. First, wages were established using formal guidelines including an annual pay raise and cost of living adjustments. Second, work rules were clearly defined (so-called "job control unionism"). Workers knew what management could ask them to do. Seniority provisions and bidding rights also gave union members some control over their own promotions. Finally, the International allowed some variation in local work rules but regional offices or the international were involved in local negotiations. International agreements set wage rates. In other words there were clear roles for the International and for local unions. These three elements were built into "pattern bargaining" which equalized wages and most work rules in all companies of the Big Three (Ford, GM, Chrysler).

Under the visionary leadership of the Reuthers, this structure helped make the U.A.W. one of the most powerful and successful unions in the world. The U.A.W. strategy worked because it fit a particular economic situation. The U.A.W. limited competition among autoworkers on the shop floor and took wages out of competition within the industry. From 1948 to 1979 the Big Three had sufficient market power to make the structure work. To a large extent the U.S. economy during that period was built on the U.A.W. model as well: high wages, high consumption, mass production of goods with long model runs and standardized components. All parts of the economic system--union strategy, company strategy and world

economic organization--fit together in a uniquely successful way.

In the late 60s, this economic order began to unravel. With the intensification of international competition came intensified management pressure on workers. In the early 1970s, the Lordstown Vega plant exploded in worker/management conflict. The "Lordstown syndrome" became a fear throughout General Motors' management. In 1973 the GM-U.A.W. national agreement included language about "the desirability of mutual effort to improve the quality of worklife for employees." International change had opened the door to spreading Q.W.L.

QWL Experiments

Pressure from within the U.A.W. for national extension of employee involvement came primarily from Irving Bluestone, then Vice-President of the U.A.W. G.M. department. His interest in employee involvement initially met employer resistance despite the fact that G.M. had practiced work team production methods in some non-union southern plants since the 1950s. These team plants were unionized by the U.A.W. following the 1973 negotiations.

Two non-union plants illustrate the different attitudes toward team production. A Delco-Remy plant in Albany, Georgia was organized in 1978. Bargaining over the first contract lead to impasse and a strike ensued. Bluestone and local union officials met and the contract adopted the team concept.

The Oklahoma City plant went differently. When it joined the U.A.W., workers remembered the team strategy as an antiunion effort. Their first contract followed the usual job classification system.

Throughout the 70s G.M. experimented with team organization. At Lakewood, a van assembly work station in Detroit, and in Tarrytown, experiments were initially successful. A change in plant management destroyed the Lakewood effort. The van assembly attempt failed when it couldn't meet performance targets. The Tarrytown effort successfully lowered absenteeism and improved job satisfaction through the 1970s.

When Don Ephlin, who had worked under Bluestone, moved to Vice President of the U.A.W. Ford department he brought with him an interest in Q.W.L. issues. Ephlin and Peter Pestillo at Ford industrial relations encouraged various experiments at Ford.

In one plant, an employee involvement group met one hour a week (paid) to discuss quality improvements. Group suggestions resulted in moving a conveyor belt, better lighting, improved gauging operations and changes in some work stations. If issues of job jurisdiction are raised, the union committeeman halts discussion and the issue is sent to the plant's bargaining

committee.

The highly successful Ford Taurus was built with considerable worker input into design and some flexible work arrangements. Initial drawings were posted to elicit employee suggestions. Employees in Livonia, Michigan earned \$600,000 in 1982 for their suggestions. Such incentives are good for productivity, but they can be divisive too. Team work is intended to turn worker knowledge into management's knowledge. The question is always, what do workers get in return?

The most extreme attempt at eliminating work rules is in place in the New United Motors Manufacturing Incorporated (N.U.M.M.I., pronounced "new-me") plant. This G.M.-Toyota joint venture is intended to trade job security for the virtual elimination of work rules. Eighty percent of the N.U.M.M.I. workforce comes from the ranks of the old G.M. Fremont plant. Much of the technology in the plant is the same as the old Fremont plant. Yet the N.U.M.M.I. effort uses 50 percent fewer people than either the old Fremont plant or the Framingham, MA plant to produce a comparable car. The Nova, which is produced by N.U.M.M.I., has one of the best repair records in the industry.

The productivity increase and the quality improvement are both directly related to the new forms of work organization (since the workers and technology are the same as the old plant). 5 to 7 workers and a team leader make up each production unit. Unlike assembly line work, each work team completes the majority of tasks required to produce each vehicle. The plant also uses space more efficiently through "just-in-time" assembly, meaning parts arrive just before they are needed. This eliminates the need for large inventories.

N.U.M.M.I. is an economic success which shows how new work structures alone can make a big difference in productivity. But the work structure has its costs. The job security provisions of the contract have not, in fact, been maintained and there are growing concerns that the work pressure is too intense. N.U.M.M.I. workers are subject to "work standardization", called "kaizen" in Japanese. Kaizen severely restricts the way in which a worker does his or her job, detailing every move and setting strict time limits on each function. Thus, while the team method opens the door to more worker input, the kaizen restrictions reduce worker involvement in the work process.

Some Conflicts Related to Q.W.L.

Skilled vs. General Trades. U.A.W. experience shows that skilled trades people, who benefit most from the protections of work rules, have most at stake in Q.W.L. attempts.

Local vs. International Union. By negotiating local work

structures, Q.W.L. efforts may threaten industry-wide bargaining. One survey found that most workers felt Q.W.L. improved the union's ability to solve problems and improved union communication with workers. Most disagreed with the idea that Q.W.L. interfered with the grievance procedure.

Labor vs. Management. Unions and management usually have different preconceptions about the boundaries of Q.W.L. Workers may want to discuss investment decisions. Managers may want to open contract issues.

People in Q.W.L. vs. People outside Q.W.L. Sometimes employee involvement programs are limited to certain workers, causing tension. In one plant differentials in pay for knowledge were contested.

The Future

The U.A.W. offers this view of future choices in Technology and Jobs:

Traditional Policy

Top-down implementation--
Managers and Engineers decide

Build the "personless" plant

Hardware emphasis--
fit people to machines

Revolutionary system change

Little education

Narrow task, short work cycle

Multilevel control over workers:
supervision of individuals
automatic monitoring
machine pacing

Alternative Policy

Bottom up implementation--
Worker input + initiative

Build on worker skills

Socio-Technical approach--
design hardware for people

Gradual evolution

Continuing education

Broad task, long work cycle

Team work + rotation:
supervision of teams
team reporting
team motivation

From the Desk of . . .

EX OFF

ARTHUR R. OSBORN

President

L. Z.

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PICK

A.O.



MASSACHUSETTS / AFL-CIO
8 BEACON STREET • BOSTON, MA 02108
(617) 227 - 8260



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EX OFFICIO



Coalition of Labor Union Women

15 Union Square • New York, N.Y. 10003 • (212) 242-0700

TO: CLUW MEMBERS

FROM: NATIONAL OFFICE

RE: NOMINATION AND ELECTION OF STATE VICE PRESIDENT AND
ALTERNATE STATE VICE PRESIDENT

DATE: DECEMBER 15, 1988

CONGRATULATIONS: Your state has fifty (50) or more members of CLUW and is entitled to elect a State Vice President and an Alternate State Vice President. This is in accordance with the constitutional requirements which states:

ARTICLE VIII., Section 1:

Section 1. There shall be a Vice President and an Alternate Vice President in each State, the District of Columbia, Puerto Rico and all U.S. Territories with 50 or more regular CLUW members, the National Officers Council will appoint an interim Coordinator where deemed necessary.

Section 2. Duties

- a. Shall be a member of the National Executive Board;
- b. Shall report in writing to the National Executive Board at each meeting on the progress, and programs of the chapters in the State;
- c. Shall coordinate the activities of CLUW in the State in order to meet the objectives of the Statement of Purpose
- d. Shall call and preside over at least one annual State meeting;
- e. Shall be responsible for the recruitment of new members of CLUW in the State and shall assist in the formation of new chapters, in cooperation with the National Officers Council;
- f. The Alternate State Vice President shall assist with the duties of the State Vice President.

Enclosed are the rules and procedures for conduct of the election of the State Vice President and Alternate State Vice President, the nominating Petition Form for State Vice President **(Green)** and the Nominating Petition Form for Alternate State Vice President **(Pink)**.



Coalition of Labor Union Women

15 Union Square • New York, N.Y. 10003 • (212) 242-0700

NOMINATING PETITION FOR ALTERNATE STATE VICE PRESIDENT

NOMINEE: (Must be a member in good standing of National CLUW)

NAME _____

ADDRESS _____

PHONE (work) _____ (home) _____
(include area codes)

UNION AFFILIATION _____

International

Local

(City)

(State)

I accept the nomination to the office of ALTERNATE STATE VICE PRESIDENT
for the state of _____

(Signature) _____

NOMINATOR: (MUST be a member in good standing of National CLUW)

NAME _____

ADDRESS _____

PHONE (work) _____ (home) _____
(include area codes)

UNION AFFILIATION _____

International

Local

(Signature) _____

When this Nominating Petition is completed please mail it to:

CLUW
15 UNION SQUARE
NEW YORK, N.Y. 10003

POSTMARKED NO LATER THAN MIDNIGHT, JANUARY 11, 1989

Petitions Postmarked later than January 11, 1989 will be voided!!!!



Coalition of Labor Union Women

15 Union Square • New York, N.Y. 10003 • (212) 242-0700

NOMINATING PETITION FOR STATE VICE PRESIDENT

NOMINEE: (Must be a member in good standing of National CLUW)

NAME _____

ADDRESS _____

PHONE (work) _____ (home) _____
(include area codes)

UNION AFFILIATION _____
International Local

(City) (State)

I accept the nomination to the office of STATE VICE PRESIDENT
for the state of _____

(Signature) _____

NOMINATOR: (MUST be a member in good standing of National CLUW)

NAME _____

ADDRESS _____

PHONE (work) _____ (home) _____
(include area codes)

UNION AFFILIATION _____
International Local

(Signature)

When this Nominating Petition is completed please mail it to:

CLUW
15 UNION SQUARE
NEW YORK, N.Y. 10003

POSTMARKED NO LATER THAN MIDNIGHT, JANUARY 11, 1989

Petitions Postmarked later than January 11, 1989 will be voided!!!!



Coalition of Labor Union Women

15 Union Square • New York, N.Y. 10003 • (212) 242-0700

RULES AND PROCEDURES FOR NOMINATION & ELECTION OF STATE VICE PRESIDENT & ALTERNATE STATE VICE PRESIDENT:

- I. Nominations shall be made on a separate form for State Vice President (green) and Alternate State Vice President (pink) provided by the National Office of CLUW. Elections shall be held by secret ballot referendum.
- II. To become a candidate for State Vice President or Alternate State Vice President, an individual must be a National CLUW member as of November 11, 1988. Individuals must submit the nominating form with the date and required signature of at least one (1) National CLUW member in good standing (other than the nominee) residing in the nominee's home state.
- III. Nominating petitions shall have the name, address, phone, city, state and union affiliation of each nominee.
- IV. A CLUW member may run for either State Vice President or Alternate State Vice President, BUT NOT BOTH.
- V. Petitions with the proper signature and date shall be forwarded to the CLUW National Office postmarked no later than MIDNIGHT, January 11, 1989. ALL PETITIONS POSTMARKED AFTER THAT DATE AND TIME WILL BE VOIDED.
- VI. In a case where a contest exists, the National Office shall mail out official ballots to all CLUW members of that State.
- VII. Only official ballots will be accepted. All others, like, facsimile or otherwise, will be voided.
- XI. In addition, each CLUW member, voting in an election, will be required to sign their full name on the outside of the envelope in which the ballot is returned. No ballot will be counted if not received in a signed envelope.

-over-

- XII. All candidates and voters must use the same name as appears on the National CLUW Membership Card.
- XIII. No Funds or official publications of CLUW or any of its subordinate bodies may be used to support or advocate for a candidate for State Vice President or Alternate State Vice President.
- XIV. Ballots shall be counted by the National Office under the auspices of the National Elections Committee. Notification of election results will be mailed to all CLUW members of that state.
- XV. Ballots will be counted and kept by the National Election Committee for a period of Ninety (90) days.
- XVI. The National Election Committee, appointed by the president, shall be responsible for receiving all protests and appeals from State Vice President and Alternate State Vice President elections c/o National CLUW Office. Appeals must be received in writing by the National Office NO LATER THAN NOON March 3, 1989.



KEVIN M. BURKE
District Attorney

THE COMMONWEALTH OF MASSACHUSETTS

OFFICE OF THE
DISTRICT ATTORNEY FOR THE EASTERN DISTRICT
SALEM NEWBURYPORT LAWRENCE

70 WASHINGTON STREET, FOURTH FLOOR
SALEM, MA. 01970

TELEPHONES
LAWRENCE 683-4570
SALEM 745-6610

EX. OF F
who Filed or not

November 23, 1988

Mr. John Laughlin
Massachusetts AFL-CIO
8 Beacon St.
Third Floor
Boston, MA 02108

Dear John,

Within the next two months I plan to produce an educational videotape to aid victims and witnesses of crime.

Based on Essex County statistics, there are approximately 300,000 people across the state who are victims of crime each year. Many are confused, frightened, and in need of the most complete services we can offer.

As author of the Victim Bill of Rights, I have fought to secure those rights for victims and witnesses. I'm certain this 15-minute videotape will be an outstanding tool to better explain their rights.

The tape will be distributed to courthouses across the state, and I will offer it to civic and community groups on a loan basis.

The videotape will also be available nationally through the National Organization for Victim Assistance (NOVA), and through the National District Attorneys' Association (NDAA). Both organizations will receive copies at their Washington, D.C., headquarters.

My Victim/Witness Assistance Program was named a national model last year by the NDAA. As such, we have hosted officials from all over the country who were seeking seek to emulate my program.

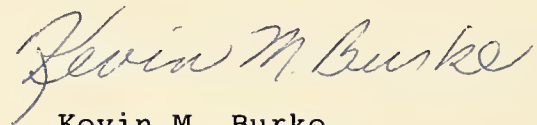
If the AFL-CIO agrees to help fund this important videotape, we will certainly make sure viewers know it was made possible through your generosity in the opening credits. We would be happy to use your organization's logo when acknowledging your gift.

Among those already pledging their support are General Electric (\$2,500), Wang Laboratories (\$2,500), Bank of New England (\$2,500), Parker Brothers (\$1,000), Kidder Peabody (\$500), and New World Bank (\$250). Several other companies are considering our proposal.

Enclosed you will find the budget (which has since been revised to \$22,500) and script for the videotape.

Any assistance that the AFL-CIO could provide would be greatly appreciated and appropriately acknowledged. Thank you very much for considering this proposal.

Sincerely,

A handwritten signature in cursive script that reads "Kevin M. Burke". The signature is written in dark ink and is positioned above the typed name.

Kevin M. Burke
District Attorney
Essex County



JOSEPH B. McDONOUGH
Senior Partner

The Hawthorne Group

CHRISTINE B. SULLIVAN
Senior Partner

March 18, 1988

BUDGET PROPOSAL - VICTIM WITNESS PROGRAM

Pre-production including planning		\$6,000.00
ascertainment		
location survey		
concepts		
meetings		
scripting		
 Production, including	shooting	\$9,500.00
	tape stock	
	lighting	
	producer & director	
	professional actors	
 Post-production, including	editing on 3/4"	\$9,500.00
	tape facility	
	professional	
	narration	
	music	
	audio recording	
	high-tech graphics	
	producer	
 TOTAL		\$ 25,000.00

VICTIM/WITNESS VIDEO SCRIPT

The Players

Scott Evans, the victim
Nancy Evans, the victim's wife
Victim/Witness Advocate
Assistant District Attorney
Court Officer
Judge
Defense Attorney
Court Clerk
Probation Officer
Two Defendants
Kevin Burke

LOCATIONS

Assault takes place in parking lot.

Salem District Court, Third Session Courtroom.

A conference room in Salem District Court.

Kevin's Burke's office for his part.

Victim Witness Video Script

Scene one: The victim, Scott Evans, about 30, and his wife Nancy Evans, are coming out the doorway of a restaurant. They are remarking about what a great meal they just had. At the same time two guys, obviously drunk and belligerent are going in. They bump into the guy's wife and she struggles to keep her balance. Scott is naturally upset.

Scott and his wife continue out the door. Scott shakes his head and mutters "Jerks." The drunks turn and follow close behind.

The victim stands up to the drunk, His tone is still angry.

Nancy tugs her husband's arm. She's obviously frightened.

Scott gives the drunk one last look, then nods to his wife and turns to walk away. As he does, one drunk hits him on the side of the head. He goes down and both drunks kick him several times, yelling at him. The wife screams, "Leave him alone." Drunks finish with a few more kicks, then turn to the wife and threaten her.

Scott: (Angrily) "Hey, why don't you watch where you're going."

Drunk: What did you say? (He pulls victim's arm and spins him around).

Victim: I said why don't you watch where you're going. You almost knocked my wife down.

Drunk: So what are you gonna do about it.

Nancy: "Let's go Scott. This isn't worth it. I'm okay."

Drunk: "If you call the cops, you're dead." (One drunk turns to the other and says, "Let's get outa here").

The assailants run off, and the wife kneels over her badly beaten husband. She looks up and screams, "Somebody help." Fade out.

SCENE TWO: Fade in to Kevin.

The victims you just saw were able to identify their attackers for police. The men were arrested and charged with assault and battery with a dangerous weapon. In this case, the foot is considered a dangerous weapon. They were also charged with making threats.

That's the first step toward justice. But there are still pre-trial conferences and a trial that must be conducted.

The road through the court system can sometimes be a difficult, confusing journey. But thanks to the Victim's Bill of Rights that I authored, it's not a road victims have to travel alone. I recognized that victims needed help in understanding their rights, and the various ways the district attorneys could help them.

Victim witness advocates will help you understand the workings of the court system, from the very beginning to the resolution of your case.

As a victim, you'll be informed of the defendant's arraignment, pre-trial conference dates, and the trial date. If they are released on bail, you will be notified. Victim/Witness Advocates will answer any questions you have.

It's true that defendants have rights. But victims have rights too. We intend to protect those rights.

Scene three: Show a street shot of Salem District Court so viewer knows where next scene is taking place. Then move to an interior shot. We see two victims and a v.w. advocate, and the ADA. Nancy turns to Scott. His arm is in a sling.

Wife: (With a concerned tone.) "How are you doing."

Victim: (Lets out long breath). "I don't know. Okay I guess. I'm a little nervous."

The victim witness advocate enters the scene, along with the ADA. She makes the introductions.

Advocate: "Almost everyone is nervous. Tell me what are you most concerned about?"

Victim: A lot of things. What if these guys try to get back at us for pressing charges."

Advocate: I understand your concern about that, but they probably won't. When they were arraigned, the judge told them not to have any contact with you or your family. So did their lawyer. It may not help you feel any better, but most of the time that's not a problem. If you have any trouble at all, call the police, and let my office know about it too. Those men could be arrested again for intimidating a witness. That's a very serious charge.

Victim appears somewhat appeased, but he's still got a lot of worries. He shakes his head and shrugs his shoulders.

Victim: What if they try something in the courtroom.

Advocate: Don't worry. They won't try anything. There are court officers there, and I'll sit with you. Things are very formal in a courtroom. If you want, you can wait in our office until your case is called.

Advocate: Have you ever been in a courtroom before?

Victim: No.

Advocate: Court's in recess now, so let's go in and I'll show you around.

Camera follows the three people into Salem District Court, and the advocate explains the layout.

Advocate: Here's where the the assitant district attorney will sit. That table is where the defendants will be with their lawyer. I'll sit here with you.

The highest bench is where the judge sits. Just in front of him is the clerk who will call your case.

She walks to the witness stand and they follow.

This is the witness stand, and you can either use the chair or stand up, however you feel most comfortable.

The microphone you see isn't to make your voice louder. It's for tape recording purposes.

Victims nod in understanding.

Victim: I'm nervous about testifying. Isn't the police report enough. I told them everything.

Advocate: No. It's important that you tell us in your own words what happened.

Victim: I'm worried that my memory won't be that good. And what if the defense attorney really grills me, and makes it look like it's my fault?

ADA: The defense lawyer has a right to present a vigorous defense on behalf of his client. That's his job. But if he starts to badger you, I'll object. And judges always take care to protect witnesses. Just answer the questions truthfully, and you'll be fine.

Fade out, and come back to Kevin.

Kevin: Being a victim of crime, especially a violent crime, can be a devastating experience.

That's why the victim witness program helps you not only through the court process, but can assist you in receiving emotional, medical and financial help, as you will see.

Back to victims talking with advocate in her office.

Advocate: What about you, Mrs. Evans. You haven't told me how you're feeling about all this.

Nancy: It's been difficult. Even though I know Scott's going to be all right, I can't get this out of my mind. Sometimes when the phone rings I jump, and I've been having a lot of trouble sleeping.

Advocate: That's not unusual. Sometimes, long after the physical injuries have healed, the emotional scars are still there. Maybe you should talk about this to a counselor. It might help both of you. I can put you in touch with one if you like."

Nancy: I think I could really use someone to talk to, someone who can help me through this. I used to be so happy most of the time. These days I'm just scared."

Camera pans to Scott:

Scott: I'm not bothered by that so much, but this has really set us back financially.

Some of my teeth were chipped and loosened. I needed a root canal. My company doesn't have dental insurance. And we had to pay the \$200 deductible for my other injuries.

Advocate: When you come to court for the trial, bring your medical bills and dental bills. I'll help you prepare a restitution report. The judge may order the defendants to reimburse you for your expenses. You may also be eligible for compensation under the state's victim of violent crimes act.

Scott: That would help a lot. The bills may add up to \$2,000, and to us that's a lot of money.

This thing has also given me a few problems at work. I only started the job six months ago, so I didn't have much sick time coming to me. This injury used all my sick days up, and now it looks like I'm going to miss more work."

Advocate: You may be able to get compensation for that too.

Scott: There's one more thing. This trial could keep me tied up for several days. I think my boss might be upset when she finds out."

Advocate: We can help with that. I'll call her and explain the circumstances. You're very important, because without your testimony, the case will be dismissed.

Fade out, and back to Kevin:
or perhaps a voice over with
the graphic below.

Kevin: To review,
victim witness advocates
help you arrange
counseling, assist you
in filing for
compensation, and act as
a liaison between you
and your employer.

Graphic here with
-Counseling
-Compensation
-Employee intercession

SCENE FOUR

This scene is the courtroom, where
the trial is starting. All
the players will be seated appropriately.
We'll need the two defendants, clerk,
judge, prosecutor, defense lawyer,
victims, court officer, and a few
folks in the benches.
The judge enters.

Court Officer: "All
rise. This court is now
in session, please be
seated.

Clerk: Good morning
your honor. The case
before the court is the
Commonwealth vs. William
Peterson and Michael
Daley. Both defendants
are charged with assault
and battery with a
dangerous weapon, a shod
foot and making threats.

Prosecutor: Joseph
White for the
Commonwealth, your honor.

Defense lawyer: Richard
Collins for the defense,
your honor.

Judge: Yesterday we heard from several witnesses, and I understand the case is reaching its conclusion. Mr. White, do you have any more witnesses to call.

Prosecutor: Yes your honor, we have one final witness. The Commonwealth calls Scott Evans. (the victim takes the stand). Mr. Evans, where were you on the night of October 15, 1987.

Evans: My wife and I were at Mitchell's Restaurant on Washington Street. We left there at about 8 p.m.

Prosecutor: Did anything happen as you were leaving?

Evans: Yes. A couple guys bumped into my wife as we were walking out the door.

Prosecutor: Do you see them in the courtroom.

Evans: Yes, they are sitting right there in the white sweater, and the blue sport coat. (points).

Prosecutor: Let the record show the witness has identified both defendants.

Prosecutor: What happened after your wife and the man bumped into each other."

Evans: I told them to watch where they were going."

Pros: What happened next.

Evans: Those two men followed us toward the parking lot."

Pros: Then what happened?

Evans: There was an argument. Then as I turned to walk away the one in the white sweater hit me in the head. Then they both started kicking me. That's about all I remember until I woke up in the ambulance."

Pros: Did you swing at them first?

Evans: No. I was starting to walk away. Plus there were two of them. I knew the odds weren't in my favor."

Pros: No further questions, your honor."

The prosecutor sits down and the defense lawyer approaches the witness.

Defense: Mr. Evans, when your wife and my clients bumped into each other, you were pretty mad, weren't you."

Evans looks annoyed.

Evans: They just about knocked her down. Yes I was angry.

Defense: Had you been drinking that night?

Evans: I had three beers with dinner.

Defense: Don't you agree, Mr. Evans, that alcohol makes us a little braver than we usually are?"

Pros: Objection.

Judge: Sustained.

The defense lawyer looks at his clipboard, studies a note.

Defense: Mr. Evans, You were in the Navy until two years ago, weren't you."

Evans: That's right.

Defense: I see here you were a machinist.

Evans: Yes.

Defense: You were also on the boxing team, is that right?"

Evans: "That's right."

Defense: "So you're a good fighter, in fact, you like to fight."

Pros: Objection.

Judge: Sustained.

Now speaking in an accusatory tone.

Defense: When these men accidentally bumped into your wife, you weren't going to stand for that. You assaulted them, didn't you. You took the first swing."

Evans: No.

Pros: Objection. The defense is badgering the witness.

Judge: Sustained. Mr. Collins, I will allow any relevant questions, but I will not allow you to badger this witness, is that understood.

Defense: Yes, your honor. I have no further questions."

Pros: The prosecution rests, your honor.

Defense: The defense rests.

Somehow, the camera should make it clear there's been a passage of time.

Judge: After reviewing the evidence and hearing closing arguments from both the prosecutor and defense counsel, I find these defendants guilty of assault and battery with a dangerous weapon.

Pros: Your honor, Mr. Evans has an impact statement he would like to offer the court.

Judge nods.

Scott: Your honor, this assault has had a devastating affect on my family. I suffered a broken arm, concussion, and several of my teeth were chipped and loosened.

As a result of those injuries, we've had to struggle financially. I estimate that I'll have to pay \$2,000 out of pocket for medical and dental bills.

The incident was also very upsetting to my two young children, and even more upsetting to my wife. She has suffered a great deal emotionally, and has needed counseling since this attack to deal with her fears.

Your honor, because of the terrible beating I took, and the emotional and financial hardships my family has had to endure, I ask that these men be sentenced to some time in jail. I leave the length of time to the court's discretion. I also ask that they be ordered to make some restitution for the expenses I have incurred. Thank you.

Camera moves to judge:

Judge: (Flipping through some court documents handed to him by the probation officer.) I see that both of these men have extensive records. This is not the first time they've been convicted of assault.

Judge writes briefly on something then hands it to the clerk.

Clerk: Would the defendants please rise. (They do). Michael Doherty and William Pappas, the court orders that you be committed to the House of Correction for a period of one year, six months to be served, the balance suspended for two years with probation. The court further orders each defendant to make \$500 restitution, and pay \$25 to the victim witness fund. Upon your release from jail, neither of you is to have any further contact with the victim or his family.

The court officers move to the defense table and handcuff the defendants. The victims shake hands with the prosecutor and thank him and the advocate.

The camera goes back to Kevin.

Kevin: Thanks to the victim witness program, the victim and his family understood what was going on in court every step of the way.

They were able to file for compensation, because of medical and dental expenses, and time lost from work.

Mrs. Evans was able to receive counseling, to help her cope with being a victim of a violent crime. Even though she wasn't physically attacked, we recognize that she is still a victim of crime.

And at the conclusion of the case, as is his right, Mr. Evans offered the court an impact statement.

It outlined for the judge how, as a result of this crime, he and his family suffered physically, financially, and emotionally.

And thanks to the impact statement, Mr. Evans was able to make a sentencing recommendation.

For Mr. Evans and his family, the victim witness program worked.

There is one more important point. If you've been a victim of crime, there doesn't have to be a court case or even an arrest, for you to receive help from the victim witness program. We're available to help you.

If you need assistance in any way, call the district attorney's office in your county.

It's common for victims of crime to feel isolated. Don't go through this alone. Let us help.

